

# FEDERAL REGISTER

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## Regulations

### TITLE 6—AGRICULTURAL CREDIT

#### Chapter I—Farm Credit Administration

#### PART 10—FEDERAL LAND BANKS, GENERALLY

##### PURCHASE AND RETIREMENT OF STOCK

Sections 10.223-58, 10.223-63, and 10.223-64 of Title 6, Code of Federal Regulations are hereby amended to read as follows:

§ 10.223-58 *Acquiring stock in addition to any available stock which borrower owns—retirement of stock owned by borrower.* "Any available stock" already owned by the borrower shall be stock in an unimpaired association which is owned by the borrower or in which the borrower owns the beneficial interest, and which, computed at its par value, is in excess at 5 percent of any indebtedness (unpaid principal, advances, and any other items properly chargeable to the borrower, including accrued interest thereon at the date of acquirement of the purchased asset) to the bank in connection with which such stock was issued. Stock in an unimpaired association other than the one through which the purchased asset is being acquired may be treated as available stock provided such association consents to its retirement. Also, where an association has been through conservatorship and is operating under section 25 (b) of the Farm Credit Act of 1937 with a completed compartment, any stock owned by the borrower in group 1, computed at its fair book value, which is in excess of 5 percent of any bank loan or loans of the borrower through group 1, may be retired and the proceeds thereof used to purchase stock in group 2 in connection with the asset being acquired. Under the foregoing definition, where a borrower has more than one loan through the association or owns stock in connection with a loan which is secured only, in part by the property securing the asset being acquired, any excess stock in connection with such loan or loans is available stock. (Sec. 6, 47 Stat. 14; 12 U.S.C. 665; Sec. 13 "Eighth", 39 Stat. 372, as amended; 12 U.S.C. 781 "Eighth", as amended)

§ 10.223-63 *Payment in cash by borrower where amount of stock required is not substantial; additional loan to borrower to provide for payment of stock to be purchased; release by bank of conditional payments in amounts sufficient to cover the purchase of required stock; procedure for purchase of stock by borrower.* Where the amount of stock required is not substantial, it may be feasible to obtain payment therefor in cash. In other cases the borrower may desire, and it may be feasible, to provide for payment for the stock by means of an additional loan. It will also be appropriate for the bank to permit the release of conditional payments, under section 31 of the Policy Manual for Federal Land Banks, in amounts sufficient to cover the purchase of the required stock. However, where none of the foregoing procedures is followed, the stock may be purchased under either of the following procedures:

(a) The bank may extend credit on a secured or unsecured basis to the borrower in an amount sufficient to purchase such stock. The type of agreement to be entered into with the borrower for the repayment of the purchase price of the stock and the procedure to be followed in handling such transactions on the bank's books shall have the approval of the Administration.

(b) The association, upon application by the borrower, may extend credit in an amount sufficient to purchase such stock, subject to the following:

(1) In such application the borrower shall agree that his liability to the association for such stock shall be secured by a lien on the borrower's property which is security for the paper being acquired, junior to any lien held or to be acquired by the Federal land bank on such property. It is not necessary that the lien for the stock indebtedness be recorded.

(2) The association may charge the borrower interest at a rate not to exceed 4 per centum per annum on the unpaid balance of any indebtedness incurred for this purpose.

(3) The association may in turn, pursuant to 12 U. S. C. 743, borrow from the Federal land bank the amount necessary

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#### NOTICE

##### 1944 Supplement

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Book 1: Titles 1-10, including Presidential documents in full text.

Book 2: Titles 11-32.

A limited sales stock of the Cumulative Supplement and the 1943 Supplement is still available as previously announced.

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to purchase stock in the bank where it has sold its stock on credit to its borrowers. Such borrowing may be evidenced by an assignment by the association to the bank of the borrower's agreement to pay for stock in the association.

(4) The applicant may request a deferment of principal payments in order to enable the association or the bank, as the case may be, to collect the amount for indebtedness for stock in the association, and the bank may grant such deferments under the provisions of section 7 of the bill. (Sec. 6, 47 Stat. 14; 12 U.S.C. 665; Sec. 13 "Eighth", 39 Stat. 372, as amended; 12 U.S.C. 781 "Eighth", as amended; Sec. 9, 39 Stat. 368; 12 U.S.C. 743)

§ 10.223-64 Issuance of new stock sufficient to cover existing loan; retirement of existing stock. Where an applicant who does not own the outstanding stock in connection with the existing bank loan on the farm covered by the mortgage or contract being purchased by the bank from the Corporation desires or is required by the bank, in its discre-

tion, to acquire such stock or new stock in lieu thereof but cannot acquire the outstanding stock, the outstanding stock may be retired and paid off and new stock issued to the applicant and pledged in connection with the existing bank loan. The bank should require that the applicant purchase only enough new stock to collateralize the existing bank loan in the proportion of one share of stock for every \$100 or major fraction thereof of the unpaid indebtedness under the existing bank loan or the original face amount of the loan, whichever is less. When stock in that amount is issued to the applicant, all other stock outstanding in relation to the existing bank loan should be retired. The Administration hereby approves the retirement of stock in such cases where it is authorized by the bank's board of directors. Where the applicant acquires no stock in connection with the bank loan, then, unless he procures from the owner of the association stock held in connection with the bank loan a power of attorney or other authorization to exercise the exclusive right to vote in connection with both loans, the applicant must agree with the association, in consideration of the bank's purchase of the Corporation asset, to forego the right to vote at any association meeting where he and the other stockholder are present, except when they agree as to which shall cast the one vote. (Sec. 6, 47 Stat. 14, Secs. 7, 13 "Eighth", 39 Stat. 365, 372, as amended; 12 U. S. C. 665, 721, 781 "Eighth")

[SEAL]

W. E. RHEA,  
Land Bank Commissioner.

[F. R. Doc. 45-21417; Filed, Nov. 28, 1945;  
11:12 a. m.]

#### TITLE 14—CIVIL AVIATION

##### Chapter I—Civil Aeronautics Board

[Regs., Serial No. 352]

##### PART 40—AIR CARRIER OPERATING CERTIFICATION

##### DELTA AIR CORP.; NONCOMPLIANCE WITH FIRST PILOT REQUIREMENTS

Noncompliance with the requirements of § 40.2611 (b) of the Civil Air Regulations with respect to Delta Air Corporation operations between Chicago, Illinois and Miami, Florida.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 16th day of November 1945.

The following Special Civil Air Regulation is made and promulgated to become effective November 16, 1945:

Any first pilot listed in the Delta Air Corporation's current air carrier operating certificate on November 15, 1945, will be deemed to have met the requirements prescribed by § 40.2611 (b) of the Civil Air Regulations with respect to the piloting of aircraft in scheduled air transportation on the approved route between Chicago, Illinois and Charleston, South Carolina, via Anderson-Muncie-New Castle, Indiana; Cincinnati, Ohio; Knoxville, Tennessee; Asheville, North Carolina; Greenville and Spartanburg, South Caro-

lina; Columbia, South Carolina; and the terminal point Charleston, South Carolina; also, between Chicago, Illinois and Miami, Florida, via Anderson-Muncie-New Castle, Indiana; Cincinnati, Ohio; Knoxville, Tennessee; Asheville, North Carolina; Greenville and Spartanburg, South Carolina; Augusta and Savannah, Georgia; Jacksonville, Florida; and the terminal point Miami, Florida, when he has completed 4 one-way trips over the route as first pilot without passengers or as second pilot with or without passengers and 2 one-way trips as an observer from the cockpit. During the 6 above specified trips he shall have made at least one landing at each terminal and scheduled intermediate stop.

This regulation shall terminate February 1, 1946.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

FRED A. TOOMBS,  
Secretary.

[F. R. Doc. 45-21470; Filed, Nov. 28, 1945;  
11:54 a. m.]

#### TITLE 17—COMMODITY AND SECURITIES EXCHANGES

##### Chapter I—Commodity Exchange Authority (Including Commodity Exchange Commission), Department of Agriculture

[Hearing Docket CE-P 5]

##### PART 150—ORDERS OF THE COMMODITY EXCHANGE COMMISSION

##### LIMITS ON POSITION AND DAILY TRADING IN RYE FOR FUTURE DELIVERY

##### Correction

In Federal Register Document 45-21198, appearing on page 14363 of the issue for Saturday, November 24, 1945, the second and third lines of § 150.3 should read as follows: "trading in rye for future delivery." The following limits on the amount of"

#### TITLE 21—FOOD AND DRUGS

##### Chapter I—Food and Drug Administration, Federal Security Agency

##### PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC DRUGS

##### MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040 ff, 21 U.S.C. 301 et seq., as amended by Public Law 139, 79th Cong., 1st Sess., July 6, 1945), the regulations for tests and methods of assay for antibiotic drugs (10 F.R. 11478-11485) are hereby amended as indicated below:

1. Section 141.1 (b) (3) (ii), last paragraph, first sentence, is amended by striking out the word "medium" and inserting in lieu thereof "media," and adding the following new sentence to this

section, "Minor modification of the individual ingredients specified in paragraph (b) (1) and (2) of this section are permissible if the resulting media possess growth promoting properties at least equal to the media described."

2. Section 141.1 (c), second sentence, is amended by inserting after the words "Weigh out carefully" the following "in an atmosphere of 50 percent relative humidity or less."

3. Section 141.1 (e), second sentence, is amended by inserting at the end thereof, "or (9144) American Type Culture Collection."

The foregoing amendments shall become effective on the date of the publication of this order in the FEDERAL REGISTER.

(Sec. 507; 21 U.S.C. 301 et seq.)

Dated: November 21, 1945.

[SEAL]

MAURICE COLLINS,  
Acting Administrator.

[F. R. Doc. 45-21416; Filed, Nov. 23, 1945;  
10:58 a. m.]

#### PART 146—CERTIFICATION OF BATCHES OF PENICILLIN-CONTAINING DRUGS

##### MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040 ff, 21 U.S.C. 301 et seq., as amended by Public Law 139, 79th Cong., 1st Sess., July 6, 1945), the regulations for the certification of batches of penicillin-containing drugs (10 F.R. 11227) are hereby amended as indicated below:

1. Section 146.25 (d) (3) (iii), fourth line, is amended by striking out the numeral "20" and substituting "40" therefor.

2. Section 146.26 (d) (3) (ii), fourth line, is amended by striking out the numeral "20" and substituting "40" therefor.

3. Section 146.27 (d) (3) (ii), fifth line, is amended by striking out the numeral "20" and substituting "40" therefor.

4. Section 146.28 (d) (3) (iii), fourth line, is amended by striking out the numeral "20" and substituting "40" therefor.

5. Section 146.30 (d) (3) (ii), fourth line, is amended by striking out the numeral "20" and substituting "40" therefor.

6. Section 146.31 (d) (3) (ii), fourth line, is amended by striking out the numeral "20" and substituting "40" therefor.

The foregoing amendments shall become effective on the tenth day after the date of the publication of this order in the FEDERAL REGISTER.

(Sec. 507; 21 U.S.C. 301 et seq.)

Dated: November 21, 1945.

[SEAL]

MAURICE COLLINS,  
Acting Administrator.

[F. R. Doc. 45-21416; Filed, Nov. 23, 1945;  
10:53 a. m.]

## TITLE 22—FOREIGN RELATIONS

## Chapter III—Proclaimed List of Certain Blocked Nationals

[Revision IX, Feb. 28, 1945, Cum. Supp. 8]

## ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, and the Director, Office of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555),<sup>1</sup> Cumulative Supplement 8 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision IX of February 28, 1945 (10 F.R. 2648), is hereby promulgated.<sup>2</sup>

By direction of the President:

JAMES F. BYRNES,  
Secretary of State.

D. W. BELL,  
Acting Secretary of the Treasury.

J. HOWARD McGRATH,  
Acting Attorney General.

H. A. WALLACE,  
Secretary of Commerce.

FRANCIS A. JAMIESON,  
Acting Director, Office of  
Inter-American Affairs.

NOVEMBER 26, 1945.

[F. R. Doc. 45-21398; Filed, Nov. 27, 1945;  
3:47 p. m.]

## TITLE 32—NATIONAL DEFENSE

## Chapter IX—Civilian Production Administration

**AUTHORITY:** Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

## PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-240 as Amended Oct. 30, 1945, Amdt. 1]

## NEWSPAPERS

Section 3133.6 *Limitation Order L-240* is hereby amended as follows:

1. Amend paragraph (o) by changing the word "July" in line 2 to the word "December."

2. Amend paragraph (o) subparagraph (2) (i) by changing the figures 30 to 25.

3. Amend paragraph (o) subparagraph (2) (ii) by changing the figures 50 to 45.

<sup>1</sup> This proclamation mentions the Administrator of Export Control. Under Executive Order 9630, of Sept. 27, 1945 (10 F.R. 12245), the Secretary of Commerce now has responsibility for the administration of export control, having assumed this responsibility on Oct. 20, 1945.

<sup>2</sup> Filed with the Division of the Federal Register. Requests for printed copies should be addressed to the Federal Reserve banks or the Department of State.

4. Amend paragraph (o) subparagraph (3) (i) by changing the figures 30 to 25.

5. Amend paragraph (o) subparagraph (3) (ii) by changing the figures 50 to 45.

6. Amend Schedule I, paragraph (d) by changing the figures 33½ in line 9 to the figures 28.

Issued this 27th day of November 1945.

CIVILIAN PRODUCTION  
ADMINISTRATION,

By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-21400; Filed, Nov. 27, 1945;  
4:08 p. m.]

## PART 903—DELEGATIONS OF AUTHORITY

[Directive 27, as Amended Nov. 27, 1945]

## PRIORITIES ACTION BY OFFICE OF INTERNATIONAL TRADE OPERATIONS, DEPARTMENT OF COMMERCE

Section 903.139 *Directive 27* is amended to read, as follows:

• § 903.139 *Directive 27*—(a) *Rating authority of the Office of International Trade Operations, Department of Commerce.* The Office of International Trade Operations, Department of Commerce (hereafter called Office of International Trade Operations) may assign preference ratings to the delivery of material for export to the extent authorized by the Civilian Production Administration in a Priorities Policy Decision, a Program Determination of the Requirements Committee, or an approved Decision of a Division Requirements Committee, as transmitted to the Office of International Trade Operations or the Foreign Economic Administration.

(b) *Form of assignment of ratings.* The Office of International Trade Operations shall assign ratings under this directive by endorsement of a legend substantially as shown below, to which may be added any further provisions which conform to Civilian Production Administration orders or regulations and which are authorized by the Priorities Policy Decision, program determination or approved decision: "Under authority of the Civilian Production Administration delivery of the material referred to herein is assigned a preference rating of \_\_\_\_\_ Application and extension of rating shall be made in accordance with Priorities Regulation No. 3." The legend shall be endorsed on the export license or on other appropriate instruments approved for this purpose by the Civilian Production Administration or the War Production Board.

(c) *General provisions.* (1) The Office of International Trade Operations may exercise the authority delegated in this directive through such of its officials as the Director of the Office of International Trade Operations may determine.

(2) The Office of International Trade Operations shall make to the Civilian Production Administrator such monthly reports on the exercise of the authority granted by this directive as he shall require from time to time.

(3) A true copy of every document on which a preference rating is assigned pursuant to the provisions of this directive shall be maintained by the Office of International Trade Operations for inspection by a representative of the Civilian Production Administration at any time.

(d) *Status of ratings assigned before November 27, 1945.* This directive, as amended, does not affect the validity of CC ratings properly assigned by the Office of International Trade Operations or the Foreign Economic Administration, under this Directive before November 27, 1945. However, such ratings are subject to all applicable Civilian Production Administration orders and regulations.

Issued this 27th day of November 1945.

J. D. SMALL,  
Civilian Production Administrator.

INTERPRETATION 1: Revoked Aug. 28, 1946.

## INTERPRETATION 2

## LENGTH OF VALIDITY OF RATINGS ASSIGNED ON EXPORT LICENSES

A rating assigned by the Office of International Trade Operations or the Foreign Economic Administration, under the authority of Directive 27, by endorsing the required legend on an export license is valid for the life of the export license in the absence of any applicable rule or restriction set forth in an order or regulation of the Civilian Production Administration governing transactions in the material covered by the rating. This means that the rating must be applied and the material covered by the rating must have been delivered to the holder of the export license before the expiration of the life of the license. Otherwise, the procedure applicable when an individually assigned rating is revoked, provided in § 944.4a of Priorities Regulation 1, will be deemed applicable. On the other hand, if the rating has been applied and the material to which it has been applied has been delivered before the expiration of the life of the export license, its subsequent expiration will not affect the right of the supplier to extend the rating in order to replenish his inventory. Such extension is, of course, subject to the provisions of paragraph (h) (1) of Priorities Regulation 3.

Revocation of an export license on which a rating has been assigned by the Office of International Trade Operations or the Foreign Economic Administration revokes the rating, and § 944.4a of Priorities Regulation 1 is consequently applicable. Extension of the life of an export license, on the other hand, extends the period for which a rating assigned on the export license is valid. (Issued July 8, 1944.)

[F. R. Doc. 45-21399; Filed, Nov. 27, 1945;  
4:08 p. m.]

## PART 3290—TEXTILE, CLOTHING AND LEATHER

[Supplementary Order M-317A, as Amended Nov. 28, 1945]

## COTTON FABRIC PREFERENCE RATINGS AND RESTRICTIONS

§ 3290.116 *Supplementary Order M-317A*—(a) *Contents of this order.* This Order M-317A is supplementary to Order M-317 and contains distribution schedules 1 and 2. These schedules apply only to woven cotton fabrics of more than 12" in width, but do not apply to duck.

Restrictions on the production of cotton fabrics appear in Order L-99.

(b) [Deleted Nov. 20, 1945.]

(c) *Effect of change in distribution schedules on third quarter set-asides.* Cotton fabrics produced in the third quarter of 1945 but not delivered by the producer before October 1, 1945, must be delivered in accordance with the provisions of the Distribution Schedules of Order M-317A as amended September 5, 1945.

Issued this 28th day of November 1945.

CIVILIAN PRODUCTION  
ADMINISTRATION,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### DISTRIBUTION SCHEDULES 1 AND 2

The obligations in Column III of Distribution Schedules 1 and 2 are to be calculated quarterly from the first day of each quarter, beginning October 1, 1945.

(a) Column I indicates the corresponding item numbers of the various cotton fabrics in these schedules as each appears on Form CPA or WPB-653-C (9/7/45) for Fine Cotton Goods and Form CPA or WPB-653-B (9/7/45) for Carded Gray Goods, Colored Yarn and Napped Fabrics and Specialties.

(b) Column II shows the cotton fabrics covered by these schedules.

(c) Column III shows the percentage of the producer's current calendar quarterly production which must be delivered by him to fill export orders. Deliveries of cotton fabrics on orders of garment manufacturers for incorporation into clothing for delivery on export orders may be credited to the Column III obligation. Except for clothing in the above case, only exports of cotton fabrics in piece goods form may be credited to this obligation. For example, delivery of cotton fabrics to a coater to fill an export order for coated fabrics may not be credited to the Column III obligation.

(d) (1) Only deliveries on purchase orders placed in accordance with paragraph (b) (1) or paragraph (e) of Order M-317 may be credited toward the obligations of Column III. When these obligations are fulfilled, the producer is not required to accept any additional export orders, regardless of the provisions of Priorities Regulation 1.

(2) Export by or for the United States Army, Navy, Maritime Commission, War Shipping Administration (including U. S. Army and Marine Corps Post Exchanges, U. S. Navy and Coast Guard Ships' Service Departments, and War Shipping Administration Training Organizations Ships' Service Activities), and the American Red Cross may not be credited toward these obligations.

(3) In calculating the export obligation contained in Distribution Schedule 1 (Fine Cotton Goods) the producer shall eliminate his production of cotton fabrics wider than 42½". However, if he receives and accepts an export order for these goods, the delivery shall be credited toward his export obligation relating to narrow goods within the same reference number.

(e) (1) Column IV contains special provisions concerning the use and delivery of particular fabrics.

(2) Unless otherwise specified, the provisions of Column IV apply only to producers as defined in Order M-317. Where a provision in Column IV requires a purchaser to furnish a certificate, no person giving such a certificate may use or deliver the cotton fabrics he buys contrary to his certificate.

#### DISTRIBUTION SCHEDULE 1—FINE COTTON GOODS

Ref. No.	Column I	Column II	Column III	Column IV
1	1 through 9	Airplane and balloon fabrics	3	45% of total quarterly production may be delivered only to fill orders to Canada. This is included in the percentage obligation in Column III.
2	10, 11, 12	Broadcloths (combed)	19	
3	13	Dimities	19	
4	14	Ducks (combed)	0	4% of total quarterly production may be delivered only to fill orders to Canada. This is included in the percentage obligation in Column III.
5	15	Escape boat cloth	0	
6	16, 17	Fancy handkerchief fabrics	0	
7	18 through 27	Lawns (combed and carded)	8	
8	28 through 32	Marquetties, combed and carded	19	
9	33 and 34	Flat utility fabrics	0	
10	35	Oxfords	19	
11	36	Piques	5	
12	37	Pennaces	5	
13	38, 39, 40	Poplins (combed)	19	
14	41, 42	Sateens (combed and part combed)	8	
15	43	Sateens, carded (average yarn finer than 35's narrow (under 42"))	19	
16	44	Sateens carded wide (42" and wider)	0	
17	45	Sheetings (combed) including bed sheetings	0	
18	46	Shirtings, Jacquard, gray-dobby and colored	19	
19	47	Albert twills	5	
20	48	Oxfordines (combed)	19	
21	49, 50, 51, 52	All other combed twills (except those specified in reference No. 23)	5	
22	53	Twills, carded (average yarns finer than 35's)	19	
23	54	Tracing cloth	0	
24	55	Typewriter ribbon cloth	0	
25	56	Velours	12	
26	57, 58 and 161 on Form CPA or WPB-653-B	Combed and carded cotton-rayon fabrics, chiefly cotton	19	
27	59	All other combed, part combed and fine carded fabrics (average carded yarn finer than 35's)	8	
28	60	Army 6 oz. shirting twill, U. S. A. 6-311	0	
	61	Army 8.2 oz. uniform twill, U. S. A. 291B	0	
	62	Army 5 oz. shirting twill PQD 400	0	

#### DISTRIBUTION SCHEDULE 2—CARDED GRAY GOODS, COLORED YARNS AND NAPPED FABRICS AND SPECIALTIES

Note: Distribution Schedule 2 amended Nov. 23, 1945.

Ref. No.	Column I	Column II	Column III	Column IV
29	1 through 8	Osennings	3	2% of total quarterly production may be delivered only to fill orders for Canada. This is included in the percentage obligation in Column III.
30	9	Leno bag fabrics	0	65% of total quarterly production may be delivered only to persons who certify in writing that the fabric will be used to make textile bags as defined in Order M-221, or to persons who certify that the fabrics will be delivered only to persons who give this same certificate.
31	10	Other special bag fabrics	0	
32	11	Bale coverings	0	
33	12, 13	Soft filled sheetings	19	
34	14 through 17, 18	Class A sheetings under 42"	9	5% of total quarterly production may be delivered only to fill orders for Canada. This is included in the percentage obligation in Column III.
35	18, 20	Class A sheetings 42" and wider	0	3% of total quarterly production may be delivered only to fill orders for Canada. This is included in the percentage obligation in Column III.
36	21	Class B sheetings 45" 44 x 43 1/2 yd.	49	
				65% of total quarterly production may be delivered only to persons who certify in writing that the fabric will be used to make textile bags as defined in Order M-221, or to persons who certify that the fabrics will be delivered only to persons who give this same certificate.

DISTRIBUTION SCHEDULE 2—CARDED GRAY GOODS, COLORED YARNS &amp; NAPPED FABRICS AND SPECIALTIES—CON.

Ref. No.	Column I	Column II	Column III	Column IV
37	21 through 23, 25, 26, 28	All other Class B sheetings under 42" and wider.	13	4% of total quarterly production may be delivered only to fill orders for Canada. This is included in the percentage obligation in Column III.
38	27, 29	Class B sheetings 42" and wider.	25	2% of total quarterly production may be delivered only to fill orders for Canada. This is included in the percentage obligation in Column III.
39	30 through 33, 41, 43	Class O sheetings, bandolier and Navy mattress cover fabrics under 42".	21	
40	40, 42	Class O sheetings 42" and wider.	10	2% of total quarterly production may be delivered only to fill orders for Canada. This is included in the percentage obligation in Column III.
41	44 through 49	Bed sheetings, Army raincoat sheetings, bandolier and Navy mattress cover fabrics 42" and wider.	14	
42	50	Pillow and industrial tubings.	0	
43	51	Carded poplins (sheeting yarns).	10	
44	52 through 74	All twills, drills, jeans, satens and gabardines.	14	
45	75	Birdseye diaper cloth.	3	1% of total quarterly production may be delivered only to fill orders for Canada. This is included in the percentage obligation in Column III.
46	76	Window shade cloth.	0	
47	77, 78, 79, 80, 81, 82	Plain print cloth.	13	
48	83, 84, 85	39" x 80 x 4.00 yd. and prora widths 39" x 72 x 4.75 yd. and prora widths 39" x 63 x 4.85 yd. and prora widths 39" x 61 x 60.65 yd. and prora widths 39" x 61 x 66.60 yd. and prora widths 39" x 60 x 48.65 yd. and prora widths All other plain print cloths of more than 100 threads per sq. in.	17	4% of total quarterly production may be delivered only to fill orders for Canada. This is included in the percentage obligation in Column III.
49	86	Pajama checks.	5	
50	87	Gauze diaper cloth.	6	
51	88	All other fancy print cloth.	22	
52	89	38" x 44 x 36.80 yd. bandage cloth and prora widths.	10	
53	90	All other bandage cloths.	12	
54	91	Tobacco and cheese cloth, all widths, 17 to 18 slv. 12 to 14 pick.	7	
55	92	All other tobacco and cheese cloth constructions.	15	
56	93 through 97	Carded broadcloths.	15	4% of total quarterly production may be delivered only to fill orders for Canada. This is included in the percentage obligation in Column III.
57	98	Carded poplins.	14	
58	99	Three leaf twills print cloth yarns.	12	
59	100 through 103	Denim, plaid stripes, plaid checks, black or stripes or express stripes, 3.00 yd. and heavier basis 28" width All other denims, plaid stripes, plaid checks, hickory stripes and express stripes.	0	
60	104 through 113	Suiting covers, cottonades, whipcords and bedcord cords.	25	
61	114, 115, 116	Glitchams, checks, plaids and seersuckers.	27	
62	117 through 120	Colored yarn suitings—all cotton, cotton and rayon, checks and plaids, all other.	32	
63	121 through 125	29" x 3.00 yd. shirting covert, 29" x 3.00 yd. chambray, all other shirting coverts, chambrays and colored yarn suitings.	22	
64	126	Bed tickers.	21	
65	127	Turkish or berry woven toweling.	10	
66	128	Hucks, dress and jacquard woven toweling.	4	
67	129	Dish toweling, twill and other plain woven toweling.	8	

DISTRIBUTION SCHEDULE 2—CARDED GRAY GOODS, COLORED YARNS &amp; NAPPED FABRICS AND SPECIALTIES—CON.

Ref. No.	Column I	Column II	Column III	Column IV
68	130	Leno dishcloths.	0	
69	131	Outing flannel.	15	
70	132, 133	Workshirt flannels.	27	
71	134	Ganton flannels.	3	
72	135	Gun patch flannels.	0	
73	136	Interlining flannels.	7	
74	137	Moleskins and suedes.	18	11% of total quarterly production may be delivered only to fill orders for Canada. This is included in the percentage obligation in Column III.
75	138	All other napped fabrics except blankets.	15	
76	139	Chib blankets.	6	1% of total quarterly production may be delivered only to fill orders for Canada. This is included in the percentage obligation in Column III.
77	140 through 142	Blankets, other than crib, containing less than 25% by weight of wool.	25	3% of total quarterly production may be delivered only to fill orders for Canada. This is included in the percentage obligation in Column III.
78	145, 146	Bedspread fabrics, jacquard and other.	5	
79	147, 148	Curtain fabrics, other than marquisettes.	0	
80	149	Flag bunting.	0	
81	150 through 152	Drapery and upholstery fabrics.	5	
82	153, 154	Luggage and automobile seat cover cloths.	0	
83	155, 156, 157	Corduroys.	8	
84	158, 159	Velveteens and cords.	14	
85	160	Table damask, covers, cloths and napkins.	6	
86	161	Carded cotton-rayon fabric chiefly cotton.	10	
87	162	Industrial wiping fabrics and cloths.	0	
88	163	All other carded cotton woven fabrics.	9	

[F. R. Doc. 45-21421; Filed, Nov. 28, 1945; 11:41 a. m.]

## Chapter XI—Office of Price Administration

## PART 1391—BICYCLES AND BICYCLE EQUIPMENT

[MPR 158, Amtd. 6]

## RESALE OF WAR BICYCLES BY DISTRIBUTORS AND DEALERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 158 is amended in the following respect:

Section 1391.52 (b) (3) is amended to read as follows:

(3) For a sale by a mail order house the higher of the following:

- (i) The seller's published catalogue price in March 1942 for the same or similar bicycle then offered for sale
- f. o. b. seller's usual point of shipment plus \$0.79 per unit when equipped with synthetic tires and tubes, or
- (ii) The maximum price established by paragraph (b) (2) immediately above,

for the seller's retail sales, other than by mail order, in the same geographical area less the seller's customary differential in effect on January 1, 1942 between his prices for mail order sales and his prices for other retail sales.

This amendment shall become effective on the 3d day of December 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21436; Filed, Nov. 28, 1945; 11:42 a. m.]

PART 1433—FEATHERS AND DOWN  
[MPR 318<sup>1</sup>, Amtd. 7]

FEATHERS AND DOWN

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously

\* 3 F. R. 1632, 2022, 6476, 14349; 10 F. R. 4249, 6302, 9323.



herewith; and it has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 318 is amended in the following respects:

1. The last paragraph of § 1433.3 (b) is amended to read as follows:

Sellers of processed or manufactured feathers and down in the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming; and the following counties in the state of Texas: Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Pecos, Presidio, Reeves and Terrell, may add 4 cents per pound to the ceiling price for waterfowl feathers and down except quills and China feathers and down, and 3 cents per pound to the maximum price for processed chicken and turkey feathers.

This amendment shall become effective on December 3, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21437; Filed, Nov. 28, 1945;  
11:43 a. m.]

#### PART 1351—FOODS AND FOOD PRODUCTS

[FPR 1, Amdt. 6 to Supp. 13]

##### PACKED FRUITS, BERRIES AND VEGETABLES (1945 AND LATER PACKS)

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Supplement 13 to Food Products Regulation No. 1 is amended in the following respects:

1. In section 1 (b) (3) subdivision (v) is added to read as follows: (v) Red sour pitted cherries.

2. In section 5 the note immediately following the first undesignated paragraph and immediately preceding the table of products is deleted.

3. The table in the text of section 5 preceding paragraph (a) is amended to read as follows:

Product	Appendix	Section
Spinach.....	A	15
Asparagus.....	B	15
Peas (except blackeye, crowder, cream and field).....	O	15
Snap beans.....	D	16
Tomatoes (except Italian pear shaped), but not including puree.....	E	15
Tomato juice.....	F	15
Corn.....	G	15
Red sour pitted cherries.....	A	16
Apricots, halves (unpeeled), whole (unpeeled), and whole (peeled), California only.....	B	16
Sweet cherries, light unpitted, California, Oregon, and Washington.....	C	16
Yellow cling peaches, halves, sliced, quartered and diced, California only.....	D	16
Bartlett pears, halves (peeled), quarters (peeled), and diced, California only.....	E	16
Fruit cocktail, California only.....	F	16
Applesauce, New York, Virginia, Maryland, West Virginia and Pennsylvania.....	G	16

4. Section 5 (a) (2) is amended in the following respects:

a. The following undesignated paragraph is added immediately following step 8 of the list of the order in which steps are to be taken:

In addition to the conversion for syrup differential figured under step 3, above (to convert the base period price for an item of fruit packed in syrup the density of which does not correspond to the grade of the fruit, to a price for a fruit item for which a price range is named), the processor who is now pricing an item of fruit in syrup of a density not corresponding to the grade of the fruit shall figure a conversion for syrup differential in accordance with the provisions of the applicable appendix. This conversion is figured after application of the limitations of the price range (step 4) and before conversion for container type and size (step 5), for the reason that the price ranges named for fruits apply in each case to fruit packed in syrup the density of which corresponds to the grade of the fruit.

b. The text of subdivision (i) is amended to read as follows:

(i) First, the processor shall figure his weighted average price per dozen containers or other unit, f. o. b. shipping point, for the item being priced in the manner provided in paragraph (a) (1) (i), above. He shall then convert this weighted average price (for container type and size, and in the case of fruits for syrup differential, in the order named), to a base price for the item (identical except for container size, and syrup density in the case of fruits), with an established price range, that is nearest in container size to the item being priced, by applying the conversion factors named in the applicable appendix.

c. The text of subdivision (iii) is amended to read as follows:

(iii) Next, the processor shall convert the price so figured (for syrup differential in the case of fruits, and for container type and size, in the order named) to a gross maximum price for the item being priced by applying the conversion factors named in the applicable appendix.

5. Section 5 (a) (4) is amended in the following respects:

a. Subdivision (iii), of the *First situation*, is amended to read as follows:

(iii) Convert to a gross maximum price for the item being priced. Next, the processor shall convert the price so figured for the selected item (for variety, style, sieve size, and grade, in the order named) as may be necessary to arrive at a gross maximum price (except for container size, and syrup density in the case of fruits) for the item being priced, by applying the conversion factors named in the applicable appendix, and by applying to the resulting figure the limitations of the applicable price range. The price so figured shall then be converted (for syrup differential in the case of fruits, and for container type and size, in the order named) to a gross maximum price for the item being priced by applying the conversion factors named in the applicable appendix.

b. Subdivision (iii), of the *Second situation*, is amended to read as follows:

(iii) Convert to a gross maximum price for the item being priced. Next, the processor shall convert the price so fig-

ured for the selected item (for variety, style, sieve size, and grade, in the order named) as may be necessary to arrive at a gross maximum price (except for container size, and syrup density in the case of fruits) for the item being priced, by applying the conversion factors named in the applicable appendix, and by applying to the resulting figure the limitations of the applicable price range. The price so figured shall then be converted (for syrup differential in the case of fruits, and for container type and size, in the order named) to a gross maximum price for the item being priced by applying the conversion factors named in the applicable appendix.

6. The text preceding the table in section 6 (a) (3) is amended to read as follows:

Next, the processor shall add to the resulting figure his 1945 weighted average raw material cost, converted to units of the finished product by applying the simple average of his 1941 and 1943 case (unit) yields and by adjusting for grade yield according to his customary practice. (If he did not pack the product in 1943, he shall use the average of his 1941 and 1942 yields.) The 1945 raw material cost shall be figured on the basis of not less than the first 75% of his purchases of the raw material used by him in processing the product. However, the processor's weighted average raw material cost shall be figured on the basis of a weighted average raw material price no higher than the appropriate average price designated for payment to growers by the Department of Agriculture, as set forth below, except that for the quantities of any fruit actually purchased by grade or district classification announced by the Department of Agriculture, a weighted average raw material price for those purchases shall be included in the weighted average raw material cost, figured on the basis of the weighted average price actually paid for each grade or district classification but not in excess of the price named below for that grade or district classification. In addition, for apple juice and sweet cider the processor's weighted average raw material cost shall be based on a weighted average raw material price not in excess of the amount named below for the product and area in which the processor's customary receiving point is located.

7. The table in section 6 (b) (2) is amended by adding an additional column to "Column B" immediately to the right of the column headed "No. 10" and by adding an additional container size to "Column A" immediately following the listing "No. 10" under the item "Tomato Puree" to read as follows:

Column A		
To convert from a can's size in this column—	To a can size at the head of a column below, multiply by the appropriate conversion factor	
	No. 10	One 6-gallon can
Tomato puree:		
No. 10.....		0.43
One 6-gallon can.....	2.15	

\* 10 FR. 11118, 11578, 11748, 12439.

8. In section 6 (c), subparagraphs (6) and (7) are added to read as follows:

(6) *Alternative basis for figuring 1945 raw material cost for apples for processors whose factories are located in Oregon or Washington.* A processor whose factory is located in Oregon or Washington may, if he so elects, figure his 1945 raw material cost for apples under this subparagraph (6) instead of under paragraph (a) (3), above, by filing a statement to that effect with the Fruits and Vegetables Section, Food Price Division, Office of Price Administration, Washington, D. C., on or before December 15, 1945. When such an election is made the processor shall figure his 1945 raw material cost under this subparagraph for all apple products processed by him that are covered by this section. The processor who so elects shall figure his 1945 raw material cost on the basis of the raw fruit prices named below instead of those named in paragraph (a) (3) above, and add the weighted average transportation charge per hundred pounds incurred by him in 1944 in transporting the apples used in making the product from his customary receiving point to his factory:

Product:	Raw material price per cwt.
Apples and applesauce.....	\$3.85
Apple juice.....	2.20
Sweet cider.....	1.25

The raw material cost shall be converted to units of the finished product in the manner provided in paragraph (a) (3), above.

(7) *Raw material cost for processors of beets whose factories are located in Oregon and Washington.* A processor whose factory is located in Oregon or Washington who has prior to December 3, 1945, contracted with growers for at least 75% of beets of the 1945 crop to be processed by him on the basis of the graded prices for beets announced by the state Agricultural Conservation Committee of the Department of Agriculture, and has been certified by that agency as having agreed to pay the graded prices, shall figure his 1945 raw material cost under paragraph (a) (3) of this section by using \$21.00 per ton as the price paid for raw material.

9. In section 6 (f), subparagraphs (2) and (3) are added to read as follows:

(2) *Tomato puree of a specific gravity not sold during the base period.* For sales to purchasers other than government procurement agencies, the processor shall figure his maximum price per dozen No. 10 cans, f. o. b. shipping point, for an item of tomato puree of a specific gravity not sold during the base period by adding to or subtracting from his maximum price for the item of tomato puree packed in No. 10 cans with a specific gravity nearest to that of the item being priced, as figured under paragraph (a) or (b) of this section, a factor of \$0.09 per thousandth of a point difference in specific gravity. Where the processor has maximum prices for items differing equally in specific gravity from the item being priced, he shall use the one with the lower specific gravity. The processor shall figure his maximum price

for any container size of the new specific gravity other than No. 10 cans by converting the maximum price he has or would have for the new specific gravity in No. 10 cans to the can size being priced by the appropriate conversion factor set forth in paragraph (b), above.

(3) *Extra standard, ungraded as to sieve size, lima beans, (at least 50% green) containing a higher percentage of green beans than during base period.* For sales to purchasers other than government procurement agencies, the processor shall figure his maximum price per dozen No. 2 cans, f. o. b. shipping point, for an item of extra standard, ungraded as to sieve size, lima beans (at least 50% green), containing a higher percentage of green beans than during the base period by adding to his maximum price for the item of extra standard, ungraded as to sieve size, lima beans (at least 50% green), as figured under paragraph (a) or (b) of this section, 4 cents per dozen containers for each 10% of green lima beans that is added in excess of the percentage of green lima beans contained during the base period. The processor shall figure his maximum price for any container size other than No. 2 cans of extra standard, ungraded as to sieve size, lima beans containing a higher percentage of green beans than during the base period by converting the maximum price he has or would have for the new lima bean item in No. 2 cans to the can size being priced by the appropriate conversion factor set forth in paragraph (b), above.

10. In section 6 (g) (2), footnote 2 under the table headed "Part 1—Lima Beans" is amended by deleting the second sentence.

11. Section 16 is added to read as follows:

SEC. 16. *Appendices for packed fruits priced under Pricing Method No. 1.*

#### APPENDIX A—RED SOUR PITTED CHERRIES

*Explanation of how maximum prices for packed red sour pitted cherries are figured—*  
(a) *What this appendix includes.* This appendix includes the specific pricing provisions for packed red sour pitted cherries. It does not apply to other styles of pack of red sour cherries. If the processor sold only substandard grade of red sour pitted cherries during the base period, he shall establish his maximum prices under section 5 (b).

(b) *Selection of base period item.* In figuring a maximum price for an item under the provisions of subparagraph (3) or (4) of section 5 (a), the processor shall select a base period item nearest in container size to item being priced and nearest in such other respects as may be specified in the applicable appendix. After the nearest container size of red sour pitted cherries sold in the base period has been determined, the processor from that classification shall select an item of standard grade water pack if available. If there is no such item, he shall select the nearest grade for which differentials are provided, in Table 7, to the grade being priced. In no case shall substandard grade be used as a base period item.

(c) *Conversions for red sour pitted cherries packed in syrup.* The permitted increases, price ranges and dollars-and-cents prices specified in Tables 3 and 4, respectively, are based on standard grade fruit packed in water. For any item that is packed in syrup

the processor shall add to the price computed from Table 3 or 4 the amount named in Table 6 for the syrup used in the item being priced.

(d) *Adjustment for raw material purchased at average price lower than that reflected in permitted increases, price ranges and dollars-and-cents prices.* Under section 5 of the supplement the processor is required to subtract from his gross maximum price the difference obtained by subtracting the weighted average price he paid for raw material in 1945 from the Department of Agriculture's recommended price for that raw material. This adjustment is figured for packed red sour pitted cherries under Table 8, which sets forth the raw fruit prices for each area and the amount that each \$1.00 per ton paid for red sour cherries is equal to when converted to units of the finished product. Before converting to a finished product basis, the processor shall adjust the difference per ton to the nearest multiple of \$1.00, with any figure ending in \$0.50 or less being rounded to the next lower dollar figure and any figure ending in \$0.51 or more being rounded to the next higher dollar figure. No subtraction is required, however, unless the gross maximum price is reduced by 1% or more.

TABLE 1—AREAS

1. New York and Pennsylvania.
2. Michigan, Ohio and Wisconsin.
3. Washington.
4. Montana.
5. Oregon, Idaho and California.
6. Utah.
7. Colorado.
8. Arizona and Nevada.
9. Texas, New Mexico, Oklahoma, Kansas, Wyoming, Nebraska, North and South Dakota.
10. All other states.

TABLE 2—BASE PERIOD PRICES

Weighted average selling price for first 60 days after the beginning of the 1941 pack.

TABLE 3—PERMITTED INCREASES AND PRICE RANGES PER DOZEN CONTAINERS FOR PROCESSORS WHO MADE SALES OF PACKED RED SOUR PITTED CHERRIES DURING THE BASE PERIOD

Area	No. 2 cans		No. 10 cans	
	Permitted increase	Price range	Permitted increase	Price range
1.....	\$1.46	\$2.00-\$3.11	\$7.46	\$14.83-\$18.80
2.....	1.62	2.87-3.03	8.20	14.63-16.63
3.....	.65	1.93-2.22	6.60	10.93-12.18
4.....	1.14	2.05-2.61	6.63	13.06-13.23
5.....	.83	2.23-2.45	4.45	11.34-12.48
6.....	.85	2.14-2.24	4.30	10.91-11.41
7.....	1.32	2.61-2.71	6.69	13.80-13.80
8.....	.85	2.14-2.24	4.30	10.91-11.41
9.....	1.32	2.61-2.71	6.69	13.80-13.80
10.....	1.62	2.87-3.03	8.20	14.63-16.63

TABLE 4—SPECIFIC DOLLARS-AND-CENTS MAXIMUM PRICES PER DOZEN CONTAINERS FOR PROCESSORS WHO WERE NOT IN BUSINESS DURING 1941 OR WHO MADE NO SALES OF PACKED RED SOUR PITTED CHERRIES DURING THE BASE PERIOD

Area	No. 2 cans		No. 10 cans	
	Price		Price	
1.....	\$3.01		\$15.30	
2.....	2.93		15.16	
3.....	2.10		11.63	
4.....	2.59		13.17	
5.....	2.34		11.91	
6.....	2.19		11.16	
7.....	2.60		13.65	
8.....	2.19		11.16	
9.....	2.60		13.65	
10.....	2.98		16.16	



TABLE 5—CONVERSION FACTORS—METAL CONTAINERS

To convert from a can size in this column—	To a can size listed at the head of a column below, multiply by the appropriate conversion factor		
	No. 303	No. 2	No. 10
No. 303	1	1.15	5.90
No. 2	0.87	1	5.10
No. 10	.17	.20	1

TABLE 6—SYRUP DIFFERENTIALS

(Dollars per dozen containers)

Syrup	No. 303 cans	No. 2 cans	No. 10 cans
Extra heavy: Cut-out density of 28° Brix or more	\$0.20	\$0.25	\$1.25
Heavy: Cut-out density of 22°-28° Brix	.16	.20	1.00
Light: Cut-out density of 18°-22° Brix	.12	.15	.75

TABLE 7—GRADE DIFFERENTIALS

Differences between successive grades (per dozen containers)

	No. 303	No. 2	No. 10 can
Fancy and Choice	\$0.685	\$0.10	\$0.03
Choice and Standard	.685	.10	.03
Standard and Substandard	.685	.10	.03

TABLE 8—ADJUSTMENT FOR RAW MATERIAL PURCHASED AT AVERAGE PRICE LOWER THAN THAT REFLECTED IN PERMITTED INCREASES, PRICE RANGES AND DOLLARS-AND-CENTS PRICES

## PART 1

Recommended raw material prices per ton

Area	Price
1.	\$261.00
2.	260.00
3.	165.00
4.	160.00
5.	160.00
6.	160.00
7.	210.00
8.	160.00
9.	210.00
10.	260.00

## PART 2

Area	For each dollar per ton weighted average price paid below the recommended price, subtract from gross maximum price per dozen containers the amount specified below:		
	Can size		
	No. 303	No. 2	No. 10
1.	\$0.007	\$0.003	\$0.045
2.	.007	.003	.044
3.	.007	.003	.047
4.	.003	.010	.035
5.	.007	.003	.045
6.	.007	.009	.043
7.	.007	.009	.043
8.	.007	.009	.043
9.	.007	.009	.043
10.	.007	.003	.044

No. 233—2

TABLE 9—ADJUSTMENTS FOR BASIC WAGE RATE INCREASE

(Dollars per dozen containers)

Area	No. 303 cans	No. 2 cans	No. 10 cans
1.	\$0.01	\$0.01	\$0.05
2.	.01	.01	.05
3.	.01	.01	.05
4.	.01	.01	.05
5.	.01	.01	.05
6.	.01	.01	.05
7.	.01	.01	.05
8.	.01	.01	.05
9.	.01	.01	.05
10.	.01	.01	.05

Oregon and Idaho only. California—no adjustment.

## APPENDIX B—APRICOTS

Explanation of how maximum prices for packed apricots are figured—(a) What this appendix includes. This appendix includes the specific pricing provisions for the following styles of pack of apricots produced in California: halves (unpeeled), whole (unpeeled), and whole (peeled). It does not apply to these styles of pack of apricots produced in states other than California, nor to other styles of pack produced in California. If the processor sold only second grade of apricots during the base period, he shall establish his maximum prices under section 5 (b).

(b) Selection of base period item. In figuring a maximum price for an item under the provisions of subparagraph (3) or (4) of section 5 (a), the processor shall select a base period item nearest in container size to item being priced and nearest in such other respects as may be specified in the applicable appendix. After the nearest container size of packed apricots sold in the base period has been determined, the processor from that classification shall:

(1) Select items of the same style of pack if available. If there are no such items select as follows: when pricing halves (unpeeled), select items of whole (peeled) before selecting items of whole (unpeeled); when pricing whole (unpeeled), select items of whole (peeled) before selecting items of halves (unpeeled); when pricing whole (peeled), select item of whole (unpeeled) before selecting items of halves (unpeeled).

(2) From the selected classification select an item of the same grade if available. If there is no such item, select as follows: to price fancy or standard grade select choice grade if available; in all other cases select the nearest grade for which differentials are provided, in Table 8, to the grade being priced.

(c) Conversions for fruit packed in syrup of a density not corresponding to the grade of the fruit. Each grade specified in Tables 3 and 4 refers to the grade of the fruit and the prices are based on fruit packed in syrup of a density which corresponds to the grade of the fruit. For any item that is packed in syrup of which the density does not correspond to the grade of the fruit, the processor shall subtract from the price computed from Table 3 or 4 the amount named in Table 7 for the grade and add to the resulting figure the amount named for the syrup used in the item being priced. The amounts to be subtracted and added in making the conversion for change in packing medium are separately stated for sales to government procurement agencies and for other sales in Part 1 and Part 2, respectively, of Table 7. However, if the change in packing medium is entirely within standard grade (light syrup of 16°-21° Brix) no subtraction or addition shall be made under Part 1 of this table. Furthermore, if the change in packing medium is from light syrup to slightly sweetened water or natural juice or from slightly sweetened water to light syrup, the amount to be subtracted or added for light syrup under

Part 1 of Table 7 is the amount named for light syrup of 16°-17.53° Brix. Also, no amount shall be added where the change in the packing medium is from syrup to natural juice or water.

Note: Under this appendix the manner of figuring a maximum price for sales to government procurement agencies of an item where conversion to or from light syrup (16°-21° Brix) is required under Part 1 of Table 7, differs from that ordinarily followed in figuring maximum prices for such sales. Thus, for government sales of fancy apricots packed in light syrup of 16°-21° Brix the processor makes the conversion separately from that made in the case of civilian sales (after applying the limitations of the price range), then proceeds with steps 5 and 6 specified in the list at the beginning of section 5 (a) (2) and with application of the provisions of section 10 (j).

(d) Conversions from one style of pack to another style of pack. In each case of conversion from one style of pack to another, the processor shall figure the conversion by taking the difference between the specific dollars-and-cents prices named in Table 4 for the two items and either adding it to or subtracting it from the constructed base price, as the situation requires. Whether the differential is to be added or subtracted depends on whether the dollars-and-cents price named in Table 4 for the item being priced is higher or lower than that named for the item from which the conversion is being made. For example, Y Canning Company, whose factory is located in Area 1, during the base period sold choice apricots, halves (unpeeled) in No. 2½ cans but made no sales of choice apricots, whole (unpeeled) in No. 2½ cans. It is now pricing choice apricots, whole (unpeeled) in No. 2½ cans. To figure the conversion for style of pack the company takes the difference between the dollars-and-cents prices named in Table 4 for choice apricots, halves (unpeeled) and for choice apricots, whole (unpeeled). (02.59-2.07=0.52). Since the company is pricing an item with a lower dollars-and-cents price than that for the item from which the conversion is made, the 0.52 differential is subtracted from its constructed base price in making the conversion for style of pack.

(e) Adjustment for raw material purchased at average price lower than that reflected in permitted increases, price ranges and dollars-and-cents prices. Under section 5 of the supplement the processor is required to subtract from his gross maximum price the difference obtained by subtracting the "weighted average price actually paid" for each grade and district classification of apricots in 1945 from the average of the recommended prices for those grade and district classifications, figured by using the same weighting factors, after converting that difference to units of the finished product. This adjustment is figured for packed apricots under Table 9, which sets forth the raw fruit prices by grade and district classifications and the amount that each \$1.00 per ton paid for apricots is equal to when converted to units of the finished product for each style of pack, grade and container size of the finished product. Before converting to a finished product basis, the processor shall adjust the difference per ton to the nearest multiple of \$1.00, with any figure ending in \$0.50 or less being rounded to the next lower dollar figure, and any figure ending in \$0.51 or more being rounded to the next higher dollar figure. No subtraction is required, however, unless the gross maximum price is reduced by 1% or more. (See example in section 5 (a) (1) (ii) for illustration of how adjustment is calculated.)

TABLE 1—AREAS

1. California.

TABLE 7—SYRUP DIFFERENTIALS

## PART 1

For sales to government procurement agencies

[Dollars per dozen containers]

Syrup	No. 2½ cans			No. 10 cans		
	Halves unpeeled	Whole unpeeled	Whole peeled	Halves unpeeled	Whole unpeeled	Whole peeled
Extra heavy (Fancy): Cut-out density of 25°-40° Brix.....	\$0.27	\$0.31	\$0.27			\$0.03
Heavy (Choice): Cut-out density of 21°-25° Brix.....	.19	.22	.19		.70	.65
Light (Standard): Cut-out density of 18°-21° Brix.....	.14	.16	.14		.54	.50
Light (Standard): Cut-out density of 16°-17.99° Brix.....	.11	.12	.11		.41	.38
Slightly sweetened water (Substandard): Cut-out density of less than 16° Brix.....	.04	.04	.04			

## PART 2

For sales to purchasers other than government procurement agencies

[Dollars per dozen containers]

Syrup	No. 2½ cans			No. 10 cans		
	Halves unpeeled	Whole unpeeled	Whole peeled	Halves unpeeled	Whole unpeeled	Whole peeled
Extra heavy (Fancy): Cut-out density of 25°-40° Brix.....	\$0.27	\$0.31	\$0.27			\$0.06
Heavy (Choice): Cut-out density of 21°-25° Brix.....	.19	.22	.19		.70	.65
Light (Standard): Cut-out density of 18°-21° Brix.....	.11	.12	.11		.41	.38
Slightly sweetened water (Substandard): Cut-out density of less than 16° Brix.....	.04	.04	.04			

TABLE 8—GRADE DIFFERENTIALS—DIFFERENCES BETWEEN SUCCESSIVE GRADES

## AREA 1

[Dollars per dozen containers]

	No. 2½ cans			No. 10 cans		
	Halves unpeeled	Whole unpeeled	Whole peeled	Halves unpeeled	Whole unpeeled	Whole peeled
Fancy and Choice.....	\$0.31	\$0.23	\$0.34			\$1.04
Choice and Standard.....	.36	.30	.29		.77	1.01
Standard and seconds.....	.15					
Standard and water.....	.12					
Standard and water.....				1.29		
Standard and solid pack pie.....				1.24		

TABLE 2—BASE PERIOD PRICES

Weighted average selling price for the first 60 days after the beginning of the 1941 pack.

TABLE 3—PERMITTED INCREASES AND PRICE RANGES PER DOZEN CONTAINERS FOR PROCESSORS OF PACKED APRICOTS WHO MADE SALES DURING THE BASE PERIOD

## AREA 1

Style and grade	No. 2½ cans		No. 10 cans	
	Permitted increase	Price ranges	Permitted increase	Price ranges
Halves, unpeeled:				
Fancy.....	\$0.95	\$2.81-\$2.99	\$3.23	\$9.55-\$10.11
Choice.....	.84	2.61-2.67	2.86	8.63-9.05
Standard.....	.73	2.15-2.31	2.51	7.64-8.08
Seconds.....	.68	2.04-2.12		
Water.....	.64	1.92-2.00	2.16	6.24-6.60
Solid pack pie.....			3.26	8.73-9.47
Whole, unpeeled:				
Fancy.....	.74	2.25-2.45	2.71	7.99-8.31
Choice.....	.68	1.99-2.15	2.34	6.75-7.35
Standard.....	.64	1.72-1.82	2.03	6.11-6.45
Whole, peeled:				
Fancy.....	.60	2.71-2.87	3.47	9.43-10.01
Choice.....	.54	2.39-2.61	3.04	8.23-9.13
Standard.....	.72	2.15-2.27	2.61	7.41-7.87

TABLE 4—SPECIFIC DOLLARS-AND-CENTS MAXIMUM PRICES PER DOZEN CONTAINERS FOR PROCESSORS WHO WERE NOT IN BUSINESS DURING 1941 OR WHO MADE NO SALES OF PACKED APRICOTS DURING THE BASE PERIOD

## AREA 1

Style	No. 2½ cans					No. 10 cans		
	Fancy	Choice	Stand-ard	Seconds	Water	Fancy	Choice	Stand-ard
Halves, unpeeled.....	\$2.00	\$2.50	\$2.23	\$2.03	\$1.90	\$3.84	\$7.56	\$6.57
Whole, unpeeled.....	2.35	2.07	1.77		8.15	7.05	6.23	
Whole, peeled.....	2.84	2.50	2.21		9.72	8.63	7.67	

TABLE 5—CONVERSION FACTORS—METAL CONTAINERS

## AREA 1

To convert from a can size in this column—	To a can size listed at the head of a column below, multiply by the appropriate conversion factor:			
	No. 1 tall	No. 2	No. 2½	No. 10
No. 1 tall.....			1.61	5.48
No. 2.....			1.27	4.30
No. 2½.....	.62	.79	1.00	3.40
No. 10.....	.18	.23	.29	1.00

TABLE 6—CONVERSION FROM TIN TO GLASS

[Dollars per dozen containers]

If you can figure a price for a can size in this column	To get a price for the glass container size at the head of a column below, add (or subtract) the indicated amount			
	No. 2½ glass		No. 303 glass	
	Halves unpeeled	Whole unpeeled	Halves unpeeled	Whole peeled
	+ \$0.20	+ \$0.20	+ \$0.20	- \$0.50
No. 2½ cans.....				- \$0.65

TABLE 9—ADJUSTMENT FOR RAW MATERIAL PURCHASED AT AVERAGE PRICE LOWER THAN THAT REFLECTED IN PERMITTED INCREASES, PRICE RANGES AND DOLLAR-AND-CENTS PRICES

## PART 1

Raw material prices per ton to be used in figuring weighted average of recommended prices

Grade <sup>1</sup>	District	Price
12's and larger to the pound	District 1 (Counties of Alameda, Santa Clara, San Mateo, San Benito, Santa Cruz, and Monterey)	\$100.00
14's and larger to the pound		95.00
16's and larger to the pound		85.00
12's and larger to the pound	District 2 (Counties of San Joaquin, Yolo, Solano, Contra Costa, and the parts of Stanislaus and San Joaquin Counties that are west of the San Joaquin River and south of Highway 50 and all other counties of the State not listed)	93.00
14's and larger to the pound		88.00
16's and larger to the pound		77.00
12's and larger to the pound	District 3 (Merced County and the remainder of San Joaquin, and Stanislaus Counties)	84.00
14's and larger to the pound		70.00
16's and larger to the pound		70.00
12's and larger to the pound	District 4 (Counties of Madera, Fresno, Kings, Tulare, Kern, Imperial, Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, Ventura, and San Diego)	80.00
14's and larger to the pound		75.00
16's and larger to the pound		65.00

<sup>1</sup> Grades referred to are those specified in joint announcement of United States Department of Agriculture and Office of Price Administration.

## PART 2

For each dollar per ton "weighted average price actually paid" below the weighted average of recommended prices, subtract from gross maximum price per dozen containers the amount specified below:

Style and grade	Can size			
	No. 1 tall	No. 2	No. 2½	No. 10
<b>Halves, unpacked:</b>				
Fancy.....	\$0.007	\$0.003	\$0.012	\$0.045
Choice.....	.006	.002	.010	.038
Standard.....	.005	.001	.009	.032
Seconds.....	.004	.001	.008	.022
Water.....	.003	.001	.007	.015
<b>Solid pie pack:</b>				
Whole, unpacked:				
Fancy.....	.009	.007	.010	.040
Choice.....	.008	.006	.009	.034
Standard.....	.007	.005	.007	.028
<b>Whole, packed:</b>				
Fancy.....	.003	.010	.014	.073
Choice.....	.007	.003	.012	.045
Standard.....	.003	.007	.010	.038

For 2½ pints use amount specified for No. 1 tall cans. For 2½ pints use amount specified for No. 2½ cans.

## APPENDIX C—SWEET CHERRIES

**Explanation of how maximum prices for packed sweet cherries are figured.—(a) What this appendix includes.** This appendix includes the specific pricing provisions for light unpacked sweet cherries produced in California, Oregon and Washington. It does not apply to this style of pack of light sweet cherries produced in states other than California, Oregon and Washington, nor to other styles of pack of light sweet cherries produced in California, Oregon and Washington.

**(b) Selection of base period item.** In figuring a maximum price for an item under the provisions of subparagraph (3) or (4) of section 5 (a), the processor shall select a base period item nearest in container size to

of the fruit. For any item that is packed in syrup of which the density does not correspond to the grade of the fruit, the processor shall subtract from the price computed from Table 3 or 4 the amount named in Table 7 for the grade and add to the resulting figure the amount named for the syrup used in the item being priced. In the case of sweet cherries the amounts to be subtracted and added in making the conversion for changes in packing medium are the same for both sales to government procurement agencies and sales to other purchasers. If the change in the packing medium is from syrup to natural juice or water no amount shall be added.

**(c) Adjustment for raw material purchased at average price lower than that reflected in permitted increases, price ranges and dollars-and-cents prices.** Under section 5 of the supplement the processor is required to subtract from his gross maximum price the difference obtained by subtracting the "weighted average price actually paid" for each grade and district classification of light sweet cherries in 1915 from the average of the recommended prices for those grade and district classifications, figured by using the same weighting factors, after converting that

TABLE 3—PERMITTED INCREASES AND PRICE RANGES PER DOZEN CONTAINERS FOR PROCESSORS OF PACKED SWEET CHERRIES WHO MADE SALES DURING THE BASE PERIOD

## AREA 1

Style and grade	No. 2½ cans		No. 10 cans	
	Permitted increase	Price ranges	Permitted increase	Price ranges
Light (unpacked):				
Fancy.....	\$1.13	\$3.09-\$3.03	\$4.03	\$13.13-\$12.53
Choice.....	1.03	3.00-3.05	3.70	11.70-12.30
Standard.....	.03	3.17-3.22	3.40	11.15-11.60
Water.....			1.72	5.62-6.02

## AREA 2

Style and grade	No. 2½ cans		No. 10 cans	
	Permitted increase	Price ranges	Permitted increase	Price ranges
Light (unpacked):				
Fancy.....	\$1.29	\$3.03-\$4.01	\$4.63	\$13.02-\$18.22
Choice.....	1.13	3.30-3.03	4.20	11.77-12.77
Standard.....	1.04	3.07-3.37	3.60	10.93-11.73
Water.....			1.01	6.70-7.14

TABLE 4—SPECIFIC DOLLARS-AND-CENTS MAXIMUM PRICES (PER DOZEN CONTAINERS) FOR PROCESSORS WHO WERE NOT IN BUSINESS DURING 1911 OR WHO MADE NO SALES OF PACKED SWEET CHERRIES DURING THE BASE PERIOD.

## AREA 1

	No. 2½ cans			No. 10 cans		
	Fancy	Choice	Standard	Fancy	Choice	Standard
Light (unpacked).....	\$3.74	\$3.47	\$3.21	\$13.10	\$12.00	\$11.30
Water.....						\$6.22

difference to units of the finished product. This adjustment is figured for packed light sweet cherries under Table 9, which sets forth the raw fruit prices by grade and district classifications separately for each area and the amount that each \$1.00 per ton paid for light sweet cherries is equal to when converted to units of the finished product for each container size of the finished product. Before converting to a finished product basis, the processor shall adjust the difference per ton to the nearest multiple of \$1.00, with any figure ending in \$0.50 or less being rounded to the next lower dollar figure and any figure ending in \$0.51 or more being rounded to the next higher dollar figure. No subtraction is required, however, unless the gross maximum price is reduced by 1% or more. (See example in section 5 (a) (1) (iii) for illustration of how adjustment is calculated.)

## TABLE 1—AREAS

1. California.
2. Washington and Oregon.

## TABLE 2—BASE PERIOD PRICES

Weighted average selling price for first 60 days after the beginning of the 1911 pack.

TABLE 4—Continued  
AREA 2

	No. 2½ cans			No. 10 cans			
	Fancy	Choice	Standard	Fancy	Choice	Standard	Water
Light (unpitted).....	\$3.82	\$3.51	\$3.22	\$13.15	\$12.27	\$11.18	\$8.95

TABLE 5—CONVERSION FACTORS—METAL CONTAINERS  
AREA 1

To convert from a can size in this column—	To a can size listed at the head of a column below, multiply by the appropriate conversion factor				
	8-ounce	No. 1 tall	No. 2	No. 2½	No. 10
8-ounce.....				2.88	9.80
No. 1 tall.....				1.71	5.89
No. 2.....				1.36	4.76
No. 2½.....	0.35	0.59	0.74		3.45
No. 10.....	.10	.17	.21	.29	

To convert from a can size in this column—	To a can size listed at the head of a column below, multiply by the appropriate conversion factor				
	8-ounce	No. 1 tall	No. 2	No. 2½	No. 10
8-ounce.....				2.88	9.80
No. 1 tall.....				1.71	5.77
No. 2.....				1.36	4.60
No. 2½.....	0.35	0.59	0.74		3.40
No. 10.....	.10	.17	.22	.29	

TABLE 6—CONVERSION FROM TIN TO GLASS  
[Dollars per dozen containers]

If you can figure a price for a can size in this column—	To get a price for a glass container size at the head of a column below, add (or subtract) the indicated amount	
	No. 2½ glass	No. 303 glass
No. 2½.....	+\$0.20	—\$0.08

TABLE 7—SYRUP DIFFERENTIALS  
[Dollars per dozen containers]

Syrup	No. 2½ cans	No. 10 cans
Extra heavy (Fancy): Cut-out density of 25°-35° Brix.....	\$0.19	\$0.71
Heavy (Choice): Cut-out density of 20°-25° Brix.....	.14	.51
Light (Standard): Cut-out density of 16°-20° Brix.....	.09	.33
Slightly sweetened water (Sub-standard): Cut-out density of less than 16° Brix.....	.04	

TABLE 8—GRADE DIFFERENTIALS, DIFFERENCE BETWEEN SUCCESSIVE GRADES  
[Dollars per dozen containers]

AREA 1		
Style and grade	No. 2½ cans	No. 10 cans
Light (unpitted):		
Fancy and Choice.....	\$0.27	\$1.13
Choice and Standard.....	.26	.76
Standard and water.....		.08

TABLE 8—GRADE DIFFERENTIALS, DIFFERENCE BETWEEN SUCCESSIVE GRADES—Continued  
[Dollars per dozen containers]

AREA 2		
Style and grade	No. 2½ cans	No. 10 cans
Light (unpitted):		
Fancy and Choice.....	\$0.31	\$0.88
Choice and Standard.....	.29	1.03
Standard and water.....		4.23

TABLE 9—ADJUSTMENT FOR RAW MATERIAL PURCHASED AT AVERAGE PRICE LOWER THAN THAT REFLECTED IN PERMITTED INCREASES, PRICE RANGES AND DOLLARS-AND-CENTS PRICES

PART 1  
Raw material prices per ton to be used in figuring weighted average of recommended prices

Area	District	Grade	Price
1	District 1 (Counties of Santa Clara, Alameda, Santa Cruz, and Monterey).	1	\$260
		2	195
	District 2 (Counties of Sonoma, Solano, Napa, and West Contra Costa (west of Mt. Diablo Meridian)).	1	235
		2	176
	District 3 (Counties of San Joaquin, Stanislaus, Sacramento, Placer, Yuba, Sutter, Butte, and remainder of Contra Costa).	1	210
		2	153
2		1	217
		2	157

<sup>1</sup> Grades referred to are those specified in joint announcement of United States Department of Agriculture and Office of Price Administration.

PART 2				
Style and grade	For each dollar per ton "weighted average price actually paid" below the weighted average of recommended prices, subtract from gross maximum price per dozen containers the amount specified below:			
	No. 1 tall	No. 2	No. 2½	No. 10
Light (unpitted):				
Fancy.....	\$0.005	\$0.006	\$0.009	\$0.032
Choice.....	.004	.005	.008	.029
Standard.....	.004	.005	.007	.027
Water.....				.016

For 303 glass use amount specified for No. 1 tall cans.  
For 2½ glass use amount specified for No. 2½ cans.

TABLE 10—ADJUSTMENT FOR BASIC WAGE RATE INCREASE  
AREA 2  
[Dollars per dozen containers]

Style and grade	No. 2½ cans	No. 10 cans
Light (unpitted):		
Fancy.....	\$0.02	\$0.07
Choice.....	.02	.08
Standard.....	.02	.08
Water.....		.03

To figure amount of adjustment for other container sizes, multiply by appropriate conversion factor in table 5 for metal containers; for No. 303 glass multiply by conversion factor named for No. 1 tall cans; for No. 2½ glass use amount named for No. 2½ cans.  
Area 1—No adjustment.

## APPENDIX D—YELLOW CLING PEACHES, HALVES, SLICED, QUARTERED, AND DICED

*Explanation of how maximum prices for packed yellow cling peaches are figured.—(a) What this appendix includes.* This appendix includes the specific pricing provisions for the following styles of pack of yellow cling peaches produced in California: halves, sliced, quartered and diced. It does not apply to these styles of pack produced in states other than California, nor to other styles of pack produced in California. If the processor sold only seconds grade of yellow cling peaches during the base period, he shall establish his maximum prices under section 5 (b).

(b) *Selection of base period item.* In figuring a maximum price for an item under the provisions of subparagraph (3) or (4) of section 5 (a), the processor shall select a base period item nearest in container size to item being priced and nearest in such other respects as may be specified in the applicable appendix. After the nearest container size of packed yellow cling peaches sold in the base period has been determined, the processor from that classification shall:

(1) Select items of the same style of pack if available. If there are no such items select as follows:

(i) When pricing halves, select items of quartered before selecting items of sliced; if none of these items are available select items of diced.

(ii) When pricing quartered, select items of halves before selecting items of sliced; if none of these items are available select items of diced.

(iii) When pricing sliced, select items of quartered before selecting items of halves; if none of these items are available select items of diced.

(iv) When pricing diced, select items of quartered before selecting items of halves; if none of these items are available select items of sliced.

(2) From the selected classification select an item of the same grade if available. If there is no such item, select as follows: to price fancy or standard grade select choice grade if available; in all other cases select the nearest grade for which differentials are provided, in Table 8, to the grade being priced.

(c) *Conversions for fruit packed in syrup of a density not corresponding to the grade of the fruit.* Each grade specified in Tables 3 and 4 refers to the grade of the fruit and the prices are based on fruit packed in syrup of a density which corresponds to the grade of the fruit. For any item that is packed in syrup of which the density does not correspond to the grade of the fruit, the processor shall subtract from the price computed from Table 3 or 4 the amount named in Table 7 for the grade and add to the resulting figure the amount named for the syrup used in the item being priced. The amounts to be subtracted and added in making the conversion for change in packing medium are separately stated for sales to government procurement agencies and for other sales in Part 1 and Part 2, respectively, of Table 7. However, if the change in the packing medium is entirely within standard grade (light syrup of 14°-19° Brix) no subtraction or addition shall be made under Part 1 of this table. Furthermore, if the change in packing medium is from light syrup to slightly sweetened water or natural juice or water or from slightly sweetened water to light syrup, the amount to be subtracted or added for light syrup under Part 1 of Table 7 is the amount named for light syrup of 14°-15.00° Brix. Also, no amount shall be added where the change in the packing medium is from syrup to natural juice or water.

NOTE: Under this appendix the manner of figuring a maximum price for sales to govern-

ment procurement agencies of an item where conversion to or from light syrup (14°-19° Brix) is required under Part 1 of Table 7 differs from that ordinarily followed in figuring maximum prices for such sales. Thus, for government sales of fancy yellow cling peaches packed in light syrup of 16°-19° Brix the processor makes the conversion separately from that made in the case of civilian sales (after applying the limitations of the price range), and then proceeds with steps 5 and 6 specified in the list at the beginning of section 5 (a) (2) and with application of the provisions of section 10 (j).

(d) *Conversions from one style of pack to another style of pack.* In each case of conversion from one style of pack to another, the processor shall figure the conversion by taking the difference between the specific dollars-and-cents prices provided in Table 4 for the two items and either adding it to or subtracting it from the constructed base price, as the situation requires. Whether the differential is to be added or subtracted depends on whether the dollars-and-cents price provided in Table 4 for the item being priced is higher or lower than that provided for the item from which the conversion is being made. For example, X Canning Company, whose factory is located in Area 1, during the base period sold choice sliced yellow cling peaches in No. 2½ cans but made no other sales of yellow cling peaches. It is now pricing choice diced yellow cling peaches in No. 2½ cans. To figure the conversion for style of pack the company takes the difference between the dollars-and-cents price computed under Table 4 for choice diced yellow cling peaches (\$2.34 + \$0.06 = \$2.40) and the dollars-and-cents price named for choice sliced yellow cling peaches (\$2.40 - \$2.38 = \$0.02). Since the company is pricing an item with a higher dollars-and-cents price than that for the item from which the conversion is made, the \$0.02 differential is added to its constructed base price in making the conversion for style of pack.

(e) *Adjustment for raw material purchased at average price lower than that reflected in permitted increases, price ranges and dollars-and-cents prices.* Under section 5 of the supplement the processor is required to subtract from his gross maximum price the difference obtained by subtracting the "weighted average price actually paid" for each grade of yellow cling peaches in 1945 from the average of the recommended prices for those grades, figured by using the same weighting factors, after converting that difference to units of the finished product. This adjustment is figured for packed yellow cling peaches under Table 9, which sets forth the raw fruit prices by grades and the amount that each \$1.00 per ton paid for yellow cling peaches is equal to when converted to units of the finished product. Before converting to a finished product basis, the processor shall adjust the difference per ton to the nearest multiple of \$1.00, with any figure ending in \$0.50 or less being rounded to the next lower dollar figure and any figure ending in \$0.51 or more being rounded to the next higher dollar figure. No subtraction is required, however, unless the gross maximum price is reduced by 1% or more. (See example in section 5 (a) (1) (iii) for illustration of how adjustment is calculated.)

TABLE 1—AREAS

## 1. California.

TABLE 2—BASE PERIOD PRICES

Weighted average selling price for the first 60 days after the beginning of the 1941 pack.

TABLE 2—PERMITTED INCREASES AND PRICE RANGES PER DOZEN CONTAINERS FOR PROCESSORS WHO MADE SALES OF THE STYLE OF PACK BEING PRICED DURING THE BASE PERIOD

AREA 1

Style and grade	No. 2½ cans		No. 10 cans	
	Permitted increase	Price ranges	Permitted increase	Price ranges
Yellow clings, halves and quartered:				
Fancy.....	\$0.23	\$2.52-\$2.63	\$1.83	\$3.41-\$3.67
Choice.....	.43	2.23-2.40	1.70	7.61-8.31
Standard.....	.45	2.06-2.22	1.73	7.05-7.49
Seconds.....	.52	1.93-2.03		
Water.....	.53	1.87-1.95	1.34	5.62-6.03
Pie.....			1.22	6.03-6.72
Solid pack pie.....			1.76	7.22-7.83
Yellow clings, sliced:				
Fancy.....	.53	2.52-2.63	1.80	8.51-8.79
Choice.....	.52	2.32-2.44	1.80	7.95-8.35
Standard.....	.47	2.12-2.24	1.63	7.22-7.63
Seconds.....	.49	1.93-2.04		
Water.....	.41	1.69-2.00	1.44	5.73-6.44
Pie.....			1.24	6.22-6.69
Solid pack pie.....			1.63	7.43-8.10

For any grade of yellow cling peaches, sliced, packed in No. 2½ or No. 10 cans:  
The permitted increase is the same amount as that named above for the same grade and container type and size of yellow cling peaches, halves and quartered; and  
The processor shall figure the limitations of the price range by adding \$0.60, in the case of No. 2½ cans, or \$0.20, in the case of No. 10 cans, to the bottom and top respectively of the price range named above for the same grade and container type and size of yellow cling peaches, halves and quartered.

TABLE 4—SPECIFIC DOLLARS-AND-CENTS MAXIMUM PRICES PER DOZEN CONTAINERS FOR PROCESSORS WHO WERE NOT IN BUSINESS DURING 1941 OR WHO MADE NO SALES OF THE STYLE OF PACK BEING PRICED DURING THE BASE PERIOD

AREA 1

Style	No. 2½ cans					No. 10 cans					
	Fancy	Choice	Standard	Seconds	Water	Fancy	Choice	Standard	Water	Pie	Solid pack pie
Yellow clings, halves and quartered.....	\$2.00	\$2.34	\$2.14	\$1.63	\$1.01	\$3.00	\$3.60	\$7.27	\$5.63	\$3.40	\$7.62
Yellow clings, sliced.....	2.00	2.33	2.18	2.01	1.95	8.05	8.15	7.44	6.11	6.41	7.81

For any grade of yellow cling peaches, sliced, packed in No. 2½ or No. 10 cans, the dollars-and-cents maximum price (for processors who were not in business during 1941 or who made no sales of packed yellow cling peaches, sliced, during the base period) shall be the price named above for the same grade and container type and size of yellow cling peaches, halves and quartered, plus \$0.60, in the case of No. 2½ cans, or plus \$0.20, in the case of No. 10 cans.

TABLE 5—CONVERSION FACTORS—METAL CONTAINERS

To convert from a can size in this column	To a can size listed at the head of a column below multiply by the appropriate conversion factor				
	8-ounce	No. 1 tall	No. 2	No. 2½	No. 10
8-ounce.....				2.63	8.67
No. 1 tall.....				1.34	4.18
No. 2.....				1.31	4.43
No. 2½.....	.69	.65	.70		8.03
No. 10.....	.12	.20	.23	.59	

TABLE 6—CONVERSION FROM TEN TO GLASS  
(Dollars per dozen containers)

If you can figure a price for a can size in this column—	To get a price for the glass containers at the head of a column below add (or subtract) the indicated amount	
	No. 2½ glass	No. 383 glass
No. 2½.....	+\$0.20	-\$0.60

TABLE 7—SYRUP DIFFERENTIALS

PART 1

For sales to government procurement agencies  
(Dollars per dozen containers)

Syrup	No. 2½ cans	No. 10 cans
Extra heavy (Fancy): Cut out density of 24°-25° Brix.....	\$0.27	\$1.02
Heavy (Choice): Cut out density of 16°-24° Brix.....	.18	.63
Light (Standard): Cut out density of 16°-18° Brix.....	.13	.51
Light (Standard): Cut out density of 14°-16° Brix.....	.10	.49
Slightly sweetened water (seconds): Cut out density of less than 14° Brix.....	.04	

PART 2

For sales to purchasers other than government procurement agencies  
(Dollars per dozen containers)

Syrup	No. 2½ cans	No. 10 cans
Extra heavy (Fancy): Cut out density of 24°-25° Brix.....	\$1.27	\$1.02
Heavy (Choice): Cut out density of 16°-24° Brix.....	.13	.63
Light (Standard): Cut out density of 14°-16° Brix.....	.10	.49
Slightly sweetened water (seconds): Cut out density of less than 14° Brix.....	.04	

TABLE 8—GRADE DIFFERENTIALS

## AREA 1

(Differences between successive grades (dollars per dozen containers))

	No. 2½ cans		No. 10 cans	
	Halves, quartered, and diced	Sliced	Halves, quartered, and diced	Sliced
Fancy and Choice.....	\$0.26	\$0.22	\$0.63	\$0.50
Choice and Standard.....	.20	.20	.79	.71
Standard and seconds.....	.16	.17		
Standard and water.....	.23	.23	1.29	1.33
Standard and pie.....			.87	1.03
Standard and solid pack pie.....			.35	.37

TABLE 9—ADJUSTMENT FOR RAW MATERIAL PURCHASED AT AVERAGE PRICE LOWER THAN THAT REFLECTED IN PERMITTED INCREASES, PRICE RANGES AND DOLLARS-AND-CENTS PRICES

## PART 1

Raw material prices per ton to be used in figuring weighted average of recommended prices

Grade <sup>1</sup>	Price
1.....	\$63.50
2.....	30.00

<sup>1</sup> Grades referred to are those specified in the joint announcement of United States Department of Agriculture and Office of Price Administration.

## PART 2

Style and grade	For each dollar per ton "weighted average price actually paid" below the weighted average of recommended prices subtract from gross maximum price per dozen containers the amount specified below:				
	Can size				
	8-ounce	No. 1 tall	No. 2	No. 2½	No. 10
Halves, quartered, and diced:					
Fancy.....	\$0.003	\$0.008	\$0.010	\$0.015	\$0.054
Choice.....	.003	.007	.009	.013	.048
Standard.....	.003	.008	.008	.011	.041
Seconds.....	.002	.005	.006	.009	
Water.....	.002	.005	.006	.009	.032
Pie.....					.025
Solid pack pie.....					.037
Sliced:					
Fancy.....	.004	.009	.011	.016	.057
Choice.....	.003	.008	.010	.014	.050
Standard.....	.003	.007	.008	.012	.044
Seconds.....	.002	.005	.006	.009	
Water.....	.002	.005	.006	.009	.035
Pie.....					.027
Solid pack pie.....					.040

For 303 glass use amount specified for No. 1 tall cans.  
For 2½ glass use amount specified for No. 2½ cans.

## APPENDIX E.—BARTLETT PEARS, HALVES (PEELED), QUARTERS (PEELED) AND DICED

Explanation of how maximum prices for packed Bartlett pears, halves (peeled), quarters (peeled), and diced are figured.—(a) What this appendix includes. This appendix includes the specific pricing provisions for the following styles of pack of Bartlett pears produced in California: halves (peeled), quarters (peeled), and diced. It does not apply to these styles of pack of Bartlett pears produced in states other than California, nor to other styles of pack produced in California. (Maximum prices for Bartlett pears, halves (peeled) and quarters (peeled) produced in Washington and Oregon will be announced later.) If the processor sold only seconds grade of Bartlett pears during the base period, he shall establish his maximum prices under section 5 (b).

(b) Selection of base period item. In figuring a maximum price under the provisions of

subparagraph (3) or (4) of section 5 (a), the processor shall select a base period item nearest in container size to item being priced and nearest in such other respects as may be specified in the applicable appendix. After the nearest container size of packed Bartlett pears sold in the base period has been determined, the processor from that classification shall select an item of the same grade, if available. If there is no such item, select as follows: to price fancy or standard grade select choice grade if available; in all other cases select the nearest grade for which differentials are provided, in Table 8, to the grade being priced.

(c) Conversions for fruit packed in syrup of a density not corresponding to the grade of the fruit. Each grade specified in Tables 3 and 4 refers to the grade of the fruit and the prices are based on fruit packed in syrup of a density which corresponds to the grade of the fruit. For any item that is packed in syrup of which the density does not correspond to the grade of the fruit, the processor shall subtract from the price computed from Table 3 or 4 the amount named in Table 7 for the grade and add to the resulting figure the amount named for the syrup used in the item being priced. The amounts to be subtracted and added in making the conversion for change in packing medium are separately stated for sales to government procurement agencies and for other sales in Part 1 and Part 2, respectively, of Table 7. However, if the change in the packing medium is entirely within standard grade (light syrup of 14°–18° Brix) no subtraction or addition shall be made under Part 1 of this table. Furthermore, if the change in packing medium is from light syrup to slightly sweetened water or natural juice or water or from slightly sweetened water to light syrup, the amount to be subtracted or added for light syrup under Part 1 of Table 7 is the amount named for light syrup of 14°–15.99° Brix. Also no amount shall be added where the change in the packing medium is from syrup to natural juice or water.

Note: Under this appendix the manner of figuring a maximum price for sales to government procurement agencies of an item where conversion to or from light syrup (14°–18° Brix) is required under Part 1 of Table 7 differs from that ordinarily followed in figuring maximum prices for such sales. Thus, for government sales of fancy Bartlett pears, halves (peeled) packed in light syrup of 16°–18° Brix, the processor makes the conversion separately from that made in the case of civilian sales (after applying the limitations of the price range), then proceeds with steps 5 and 6 specified in the list at the beginning of section 5 (a) (2) and with application of the provisions of section 10 (j).

(d) Conversions from one style of pack to another style of pack. In each case of conversion from one style of pack to another, the

processor shall figure the conversion by taking the difference between the specific dollars-and-cents prices provided in Table 4 for the two items and either adding it to or subtracting it from the constructed base price, as the situation requires. Whether the differential is to be added or subtracted depends on whether the dollars-and-cents price provided in Table 4 for the item being priced is higher or lower than that provided for the item from which the conversion is being made. For example, X Canning Company, whose factory is located in Area 1, during the base period sold choice Bartlett pears, halves (peeled), in No. 2½ cans but made no sales of Bartlett pears, diced, in No. 2½ cans. It is now pricing choice Bartlett pears, diced, in No. 2½ cans. To figure the conversion for style of pack the company takes the difference between the dollars-and-cents price computed from Table 4 for choice Bartlett pears, halves (peeled) (\$2.89 + \$0.00 = \$2.89) and the dollars-and-cents price provided for choice Bartlett pears, halves (peeled) (\$2.95 – \$2.89 = .06). Since the company is pricing an item with a higher dollars-and-cents price than that for the item from which the conversion is made the \$0.06 differential is added to its constructed base price in making the conversion for style of pack.

(e) Adjustment for raw material purchased at average price lower than that reflected in permitted increases, price ranges and dollars-and-cents prices. Under section 5 of the supplement the processor is required to subtract from his gross maximum price the difference obtained by subtracting the "weighted average price actually paid" for each grade and district classification of Bartlett pears in 1945 from the average of the recommended prices for those grade and district classifications, figured by using the same weighting factors, after converting that difference to units of the finished product. This adjustment is figured for packed Bartlett pears under Table 9, which sets forth the raw fruit prices by grade and district classifications and the amount that each \$1.00 per ton paid for Bartlett pears is equal to when converted to units of the finished product. Before converting to a finished product basis, the processor shall adjust the difference per ton to the nearest multiple of \$1.00, with any figure ending in \$0.50 or less being rounded to the next lower dollar figure and any figure ending in \$0.51 or more being rounded to the next higher dollar figure. No subtraction is required, however, unless the gross maximum price is reduced by 1% or more. (See example in section 5 (a) (1) (iii) for illustration of how adjustment is calculated.)

TABLE 1—AREAS

## 1. California.

TABLE 2—BASE PERIOD PRICES

Weighted average selling price for the first 60 days after the beginning of the 1941 pack.

TABLE 3—PERMITTED INCREASES AND PRICE RANGES PER DOZEN CONTAINERS FOR PROCESSORS OF PACKED BARTLETT PEARS WHO MADE SALES DURING THE BASE PERIOD

## AREA 1

Style and grade	No. 2½ cans		No. 10 cans	
	Permitted increase	Price ranges	Permitted increase	Price ranges
Bartlett pears, halves (peeled), and quarters (peeled):				
Fancy.....	\$0.83	\$3.10–\$3.32	\$3.13	\$10.78–\$11.00
Choice.....	.80	2.89–2.93	2.85	9.77–10.03
Standard.....	.72	2.62–2.63	2.63	8.84–9.00
Seconds.....	.63	2.21–2.30		
Water.....			2.16	6.69–7.50
Pie.....			2.09	6.04–6.12
Solid pack pie.....			3.15	8.66–8.74

For any grade of Bartlett pears, diced, packed in No. 2½ or No. 10 cans:  
The permitted increase is the same amount as that named above for the same grade and container type and size of Bartlett pear, halves (peeled) and quarters (peeled); and  
The processor shall figure the limitations of the price range by adding \$0.06, in the case of No. 2½ cans, or \$0.20, in the case of No. 10 cans, to the bottom and top respectively of the price range named above for the same grade and container type of Bartlett pears, halves (peeled) and quarters (peeled).



TABLE 4—SPECIFIC DOLLARS-AND-CENTS MAXIMUM PRICES FOR PROCESSORS WHO WERE NOT IN BUSINESS DURING 1941 OR WHO MADE NO SALES OF THE NAMED STYLES OF BARTLETT PEARS DURING THE BASE PERIOD

Style	No. 2½ cans				No. 10 cans					
	Fancy	Choice	Standard	Seconds	Fancy	Choice	Standard	Water	Ple	Solid pack ple
Bartlett pears, halves (peeled) and quarters (peeled)	\$3.21	\$2.89	\$2.60	\$2.27	\$10.02	\$9.60	\$8.95	\$8.03	\$3.63	\$3.05

For any grade of Bartlett pears, diced, packed in No. 2½ or No. 10 cans, the dollars-and-cents maximum price (for processors who were not in business during 1941 or who made no sales of Bartlett pears during the base period) shall be the price named above for the same grade and container type and size of Bartlett pears, halves (peeled) and quarters (peeled), plus \$0.06, in the case of No. 2½ cans, or plus \$0.20, in the case of No. 10 cans.

TABLE 5—CONVERSION FACTORS—METAL CONTAINERS

AREA 1					
To convert from a can size in this column—	To a can size listed at the head of a column below, multiply by the appropriate conversion factor				
	8-ounce	No. 1 tall	No. 2	No. 2½	No. 10
8-ounce				2.79	9.37
No. 1 tall				1.63	5.45
No. 2				1.34	4.50
No. 2½	0.36	0.61	0.74		3.36
No. 10	.11	.18	.22	.30	

TABLE 6—CONVERSION FROM TIN TO GLASS

[Dollars per dozen containers]		
If you can figure a price for a can size in this column—	To get a price for the glass container size at the head of a column below, add (or subtract) the indicated amount	
	No. 2—glass	No. 203 glass
No. 2½ cans	+\$0.20	-\$0.82

TABLE 7—SYRUP DIFFERENTIALS

PART 1		
For sales to government procurement agencies		
[Dollars per dozen containers]		
Syrup	No. 2½ cans	No. 10 cans
Extra heavy (Fancy): Cut out density of 22°-35° Brix	\$0.21	\$0.78
Heavy (Choice): Cut out density of 18°-22° Brix	.15	.56
Light (Standard): Cut out density of 16°-18° Brix	.13	.46
Light (Standard): Cut out density of 14°-15.99° Brix	.10	.35
Slightly sweetened water (sub-standard): Cut out density of less than 14° Brix	.04	

PART 2		
For sales to purchasers other than government procurement agencies		
[Dollars per dozen containers]		
Syrup	No. 2½ cans	No. 10 cans
Extra heavy (Fancy): Cut out density of 22°-35° Brix	-\$0.21	\$0.78
Heavy (Choice): Cut out density of 18°-22° Brix	.15	.56
Light (Standard): Cut out density of 14°-18° Brix	.10	.35
Slightly sweetened water (sub-standard): Cut out density of less than 14° Brix	.04	

TABLE 8—GRADE DIFFERENTIALS—DIFFERENCES BETWEEN STOCKPILE GRADES

AREA 1		
[Dollars per dozen containers]		
Style and grade	No. 2½ cans	No. 10 cans
Bartlett pears, halves (peeled), quarters (peeled), and diced:		
Fancy and Choice	\$0.34	\$1.12
Choice and Standard	.09	1.09
Standard and seconds	.34	
Standard and water		2.67
Standard and ple		3.77
Standard and solid pack ple		1.45

TABLE 9—ADJUSTMENT FOR RAW MATERIAL PURCHASED AT AVERAGE PRICE LOWER THAN THAT REFLECTED IN PERMITTED INCREASES, PRICE RANGES AND DOLLARS-AND-CENTS PRICES

PART 1		
Raw material prices per ton to be used in figuring weighted average of recommended prices		
Grade	District	Price
"Promote Grade" and "Fall and Winter pears suitable for canning."	California, District 1, as announced by United States Department of Agriculture, July 29, 1945.	\$73
	California, District 2, as announced by United States Department of Agriculture, July 29, 1945.	73
	California, District 3, as announced by United States Department of Agriculture, July 29, 1945.	64
	California, District 4, as announced by United States Department of Agriculture, July 29, 1945.	67
"Hall grade"		(9)
"Second grade"		(9)

1 Grades referred to are those specified in the joint announcement of United States Department of Agriculture and Office of Price Administration.  
 2 60% of the respective prices for "promote grade."  
 3 60% of the respective prices for "second grade."

PART 2				
For each dollar per ton "weighted average price actually paid" below the weighted average of recommended prices, subtract from gross maximum price per dozen containers the amount specified below:				
Style and grade	Can size			
	No. 1 tall	No. 2	No. 2½	No. 10
Halves (peeled), quarters (peeled), and diced:				
Fancy	\$0.600	\$0.612	\$0.617	\$0.624
Choice	.053	.010	.015	.027
Standard	.037	.033	.013	.010
Seconds	.005	.007	.010	
Water				.020
Ple				.020
Solid ple pack				.024

For 203 glass use amount specified for No. 1 tall cans.  
 For 2½ glass use amount specified for No. 2½ cans.

APPENDIX F—FRUIT COCKTAIL

Explanation of how maximum prices for packed fruit cocktail are figured—(a) What this appendix includes. This appendix includes the specific pricing provisions for fruit cocktail produced in California. It does not apply to fruit cocktail produced in states other than California.

(b) Selection of base period item. In figuring a maximum price for an item under the provisions of subparagraph (3) or (4) of section 5 (a), the processor shall select a base period item nearest in container size to item being priced and nearest in such other respects as may be specified in the applicable appendix. After the nearest container size of packed fruit cocktail sold in the base period has been determined, the processor from that classification shall select an item of the same grade, if available. If there is no such item select choice grade if available.

(c) Conversions for fruit packed in syrup of a density not corresponding to the grade of the fruit. Each grade specified in Tables 3 and 4 refers to the grade of the fruit and the prices are based on fruit packed in syrup of a density which corresponds to the grade of the fruit. For any item that is packed in syrup of which the density does not correspond to the grade of the fruit, the processor shall subtract from the price computed from Table 3 or 4 the amount named in Table 7 for the grade and add to the resulting figure the amount named for the syrup used in the item being priced. The amounts to be subtracted and added in making the conversion for change in packing mediums are separately stated for sales to government procurement agencies and for other sales in Part 1 and Part 2, respectively, of Table 7. However, if the change in packing medium is entirely within standard grade (light syrup of 14°-18° Brix) no subtraction or addition shall be made under Part 1 of this table. Furthermore, if the change in packing medium is from light syrup to natural juice or water, the amount to be subtracted under Part 1 of Table 7 is the amount named for light syrup of 14°-15.99° Brix. Also, no amount shall be added where the change in the packing medium is from syrup to natural juice or water.

Note: Under this appendix, the manner of figuring a maximum price for sales to government procurement agencies of an item where conversion to or from light syrup (14°-18° Brix) is required under Part 1 of Table 7 differs from that ordinarily followed in figuring maximum prices for such sales. Thus, for government sales of fancy fruit cocktail packed in light syrup of 16°-18° Brix the processor makes the conversion separately from that made in the case of civilian sales (after applying the limitations of the price range), then proceeds with steps 5 and 6 specified in the list at the beginning of section 5 (a) (2) and with application of the provisions of section 10 (j).

(d) Adjustment for raw material purchased at average price lower than that reflected in permitted increases, price ranges and dollars-and-cents prices. Under section 5 of the supplement the processor is required to subtract from his gross maximum price the difference obtained by subtracting the "weighted average price actually paid" for raw material in 1945 from the Department of Agriculture's recommended price for that raw material. For peaches and pears this difference is obtained in each case by subtracting the "weighted average price actually paid" for each grade and district classification in 1945 from the average of the recommended prices for those grade and district classifications, figured by using the same weighting factors, after converting that difference to units of the finished product. For Thompson seedless grapes, grade and district classifications are not provided. The adjustment is figured for packed fruit cocktail under Table 8, which sets forth the raw fruit prices for those fruits used in making

TABLE 8—GRADE DIFFERENTIALS  
Differences between successive grades (dollars per dozen  
containers)

Grade	No. 1 tall cans	No. 2½ cans	No. 10 cans
Fancy and Choice.....	\$0.10 24	\$0.14 47	\$0.70 1.29
Choice and Standard.....			

**TABLE 7—SYRUP DIFFERENTIALS—Continued**

**PART 2**

**For sales to purchasers other than Government procurement agencies**

[Dollars per dozen containers]

Grado	No. 1 tail cans	No. 2½ cans	No. 10 cans
Extra heavy (Fancy). Cut- out density of 22-36 Brk.-----	\$0.11	\$0.21	\$0.66
Heavy (Choice). Cut-out density of 13-25 Brk.-----	.08	.15	.44
Light (Standard). Cut-out density of 14-18 Brk.-----	.05	.10	.33

TABLE 9—ADJUSTMENT FOR RAW MATERIAL PURCHASED AT AVERAGE PRICE LOWER THAN THAT REFLECTED IN  
DEPAUTED INCREASES, PRICE RANGES AND DOLLARS-AND-CENTS PRICES

Fruit	Grade <sup>1</sup>	District	- Price
Grapes, Thompson, seedless.	1.	California, District 1, as announced by United States Department of Agriculture, July 20, 1946.	\$57.50
Peaches, clingstone.	2.	United States District 2, as announced by California, District 2, as announced by United States Department of Agriculture, July 20, 1945.	63.50 30.00 78.00
Pears	"Hill grade" "Second grade"	California, District 3, as announced by California, District 3, as announced by United States Department of Agriculture, July 20, 1946.  California, District 4, as announced by United States Department of Agriculture, July 20, 1945.	73.00  64.00  50.00

<sup>1</sup> Grades referred to are those specified in the joint announcement of United States Department of Agriculture and Office of Price Administration.

## PART 2

Fruit	Can size				
	8 oz. tall	No. 1 tall	No. 2	No. 2½	No. 10
Grapes, Thompson seedless	\$0.6003	\$0.0006	\$0.0008	\$0.0011	\$0.0043
Peaches, clingstone	.6920	.0033	.0046	.0057	.0253
Pears	.0021	.0040	.0043	.0070	.0274

For 303 glass use amount specified for No. 1 tall cans.  
For 2½ glass use amount specified for No. 2½ cans.

## Appendix G—APPLESAUCE

*Explanation of how maximum prices for appraised appurtenance are figured—(a) What this appendix includes. This appendix includes the specific pricing provisions for appraised appurtenance produced in New York, Virginia, Maryland, West Virginia and Pennsylvania. It does not apply to appurtenance produced in other states. If the processor produced in other states, the processor*

total amount to be subtracted is obtained by adding together the amounts specified in Part 2 of Table 9 for each such fruit. No subtraction is required, however, unless the gross maximum price is reduced by 1% or more. (See example in section 5 (a) (1) (iii) for illustration of how adjustment is calculated.)

TABLE 1—AREAS

1. California.

TABLE 3--PERMITTED INCREASES AND PRICE RANGES PER DOZEN CONTAINERS FOR PROCESSORS OF PACKED FRUIT  
COCOAIL WHO MADE SALES DURING THE BASE PERIOD

Grade	No. 1 tall cans		No. 2½ cans		No. 10 cans	
	Permitted Increases	Price ranges	Permitted Increases	Price ranges	Permitted Increases	Price ranges
Extra.....	\$0.55	\$1.85-\$1.85				
Choice.....	.52	1.75-1.78	\$0.87	\$3.07-\$3.15	\$3.61	\$11.35-\$11.36
.....	.52	.75-1.78	.82	2.94-3.00	3.40	10.53-10.79
.....	.38	1.45-1.54	.50	2.47-2.53	2.45	9.25-9.49
Standard.....						

TABLE 4—SPECIFIC DOLLARS-AND-CENTS MAXIMUM PRICES PER DOZEN CONTAINERS FOR PROCESSORS WHO WERE NOT IN BUSINESS DURING 1941 OR WHO [Dollars per dozen containers]

AREA 1			
Grade	No. 1 tall cans	No. 2½ cans	No. 10 cans
Fancy-----	\$1.85	\$3.11	\$11.36
Choice-----	1.76	2.97	10.66
Standard-----	1.51	2.60	9.37

  

If you can figure a price for a can size in this column--	To get a price for the glass container size at the head of a column below, add (or subtract) the indicated amount	
	No. 2½ glass	No. 303 glass
No. 2½ cans-----	+\$.20	-\$0.83

TABLE 6--CONVERSION FACTORS--METAL CONTAINERS

AREA 1					[Dollars per dozen containers]			
To convert from a can size in this column—	To a can size listed at the head of a column below, multiply by the appropriate conversion factor				Grade	No. 1 tall cans	No. 2½ cans	No. 10 cans
	8 ounces	No. 1 tall	No. 2	No. 2½				
Sources—					Extra heavy (Fancy): Cut-out density of 22°-32° Brix..	\$0.11	\$0.21	\$0.57
No. 1 tall..	.60	1.62	2.57	9.73	Heavy (Choice): Cut-out density of 18°-22° Brix..	.03	.15	.43
No. 2			1.25	1.72	Light (Standard): Cut-out density of 16°-18° Brix..	.06	.13	.40
No. 2½			.72	3.39	Light (Standard): Cut-out density of 14°-16.59° Brix..	.05	.10	.31
No. 10	.10	.17	.21	.30				

For 303 glass use amount specified for No. 1 tall cans.  
For 2½ glass use amount specified for No. 2½ cans.

## Appendix G—APPLESAUCI

*Explanation of how maximum prices for appraised appurtenance are figured—(a) What this appendix includes. This appendix includes the specific pricing provisions for appraised appurtenance produced in New York, Virginia, Maryland, West Virginia and Pennsylvania. It does not apply to appurtenance produced in other states. If the processor produced in other states, the processor*

respects as may be specified in the applicable appendix. After the nearest container size of packed applesauce sold in the base period has been determined, the processor from that classification shall select an item of the same grade if available. In no case shall substandard grade be used as a base period item.

(c) *Adjustment for raw material purchased at average price lower than reflected in permitted increases, price ranges and dollars-and-cents prices.* Under section 5 of the supplement the processor is required to subtract from his gross maximum price the difference obtained by subtracting the weighted average price he paid for raw material in 1945 from the Department of Agriculture's recommended price for that raw material. This adjustment is figured for packed applesauce under Table 8, which sets forth the raw fruit prices for each area and

TABLE 1—AREAS

1. New York.
2. Virginia, Maryland, Pennsylvania and West Virginia.

TABLE 2—BASE PERIOD PRICES

Weighted average selling price for the first 60 days after the beginning of the 1941 pack.

TABLE 3—PERMITTED INCREASES AND PRICE RANGES PER DOZEN CONTAINERS FOR PROCESSORS OF PACKED APPLESAUCE WHO MADE SALES DURING THE BASE PERIOD

Areas	No. 2 cans			No. 10 cans		
	Permitted increase	Price ranges		Permitted increase	Price ranges	
		Fancy	Standard		Fancy	Standard
1.....	\$1.00	\$1.85-\$1.97	\$1.65-\$1.77	\$4.00	\$7.05-\$8.21	\$7.05-\$8.21
2.....	.63	1.67-1.70	1.47-1.59	4.21	8.65-9.63	7.65-7.63

TABLE 4—SERVICES, DOLLARS-AND-CENTS MAXIMUM PRICES PER DOZEN CONTAINERS FOR PROCESSORS WHO WENT NORTH IN 1945 DURING THE BASE PERIOD

Areas	No. 2 cans		No. 10 cans	
	Fancy	Standard	Fancy	Standard
1.....	\$1.01	\$1.71	\$2.00	\$7.03
2.....	1.73	1.53	8.31	7.31

TABLE 5—CONVERSION FACTORS—METAL CONTAINERS—Continued

To convert from a can also in this column—	No. 2 cans		No. 10 cans	
	No. 2	No. 10	No. 2	No. 10
1.....	.....	.....	1.03	5.16
2.....	.....	.....	.64	4.82
No. 10.....	.....	.....	.10	.....

To a can also listed at the head of a column below, multiply by the appropriate conversion factor

TABLE 7—GRADE DIFFERENTIALS  
[Differences between successive grades (dollars per dozen containers)]

	No. 2	No. 10
Fancy and Standard.....	\$0.20	\$1.00
Standard and Substandard.....	.10	.50

TABLE 8—ADJUSTMENT FOR RAW MATERIAL PURCHASED AT AVERAGE PRICE LOWER THAN THAT REFLECTED IN PERMITTED INCREASES, PRICE RANGES, AND DOLLARS-AND-CENTS PRICES

Column 1	Column 2	Column 3
Area	Price per ton reflected in the permitted increases, price ranges, and dollars-and-cents prices	For each dollar per ton weighted average price paid for apples below the price indicated in Column 2, subtract from gross maximum price per dozen containers the amount specified below:
All Areas.....	\$12—Class A varieties, U. S. No. 1 Cannery Grade.	Can size
		No. 333
		No. 2
		No. 10
		No. 333
		No. 2
		No. 10
		No. 333
		No. 2
		No. 10

For No. 333 use amount specified for No. 333 cans.

TABLE 9—ADJUSTMENT FOR BASIC WAGE RATE INCREASE  
[Dollars per dozen containers]

Areas	No. 333 cans			No. 2 cans			No. 10 cans		
	Fancy	Standard	Substandard	Fancy	Standard	Substandard	Fancy	Standard	Substandard
1.....	\$0.02	\$0.02	\$0.01	\$0.02	\$0.02	\$0.01	\$0.03	\$0.03	\$0.03
2.....	.03	.02	.01	.03	.02	.01	.03	.03	.07

For No. 333 use amount specified for No. 333 cans.

This amendment shall become effective December 3, 1945.

NOTE: All record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued this 27th day of November 1945.

CLEVELAND BOWLES,  
Administrator.

Approved: November 14, 1945.

J. B. HORTON,  
Acting Secretary of Agriculture.

For the reasons set forth in the statement of considerations and by virtue of

the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250, 9328, 9599 and 9630, I find that the issuance of this amendment, insofar as it establishes maximum prices for packed fruits other than applesauce based on the raw material prices specified in the statement of considerations, is necessary to aid in the effective prosecution of the war or to correct gross inequities.

J. C. CONLEY,  
Stabilization Administrator.

[F. R. Doc. 45-31401; Filed, Nov. 27, 1945;  
4:27 p. m.]

## PART 1305—ADMINISTRATION

[SO 133, Correction]

INDIVIDUAL COMPANY ADJUSTMENT PROVISION  
FOR MANUFACTURERS OF CERTAIN PROD-  
UCTS

The form number appearing in section 7 of Supplementary Order No. 133 is corrected to read, "OPA Form No. 601-2566."

This correction shall become effective on the 28th day of November 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21439; Filed, Nov. 28, 1945;  
11:42 a. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS  
[MPR 603]

## SURPLUS LUMBER

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.

## ARTICLE I—COVERAGE

## Sec.

1. Purpose of this regulation.
2. Relation to other regulations.
3. Coverage of this regulation.
4. Definition of terms as used in this regulation.
5. Geographical application.

## ARTICLE II—MAXIMUM PRICES

6. Sales of surplus lumber.
7. Types of sales.
8. Maximum prices.
9. How to compute the f. o. b. mill price.
10. How to compute inbound transportation charges.
11. Example of how to figure the maximum price on a sale made f. o. b. present site.

## ARTICLE III—MISCELLANEOUS

12. Prohibited evasive practices.
13. What the invoice must contain.
14. Records and reports.
15. Adjustable pricing.
16. Applications for adjustment and petitions for amendment.
17. Adjustment of sales prices of purchasers under this regulation.
18. Enforcement.

AUTHORITY: § 1312.117 issued under 56 Stat. 23, 765; 57 Stat. 586; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155.

## ARTICLE I—COVERAGE

SECTION 1. *Purpose of this regulation.* The purpose of this regulation is to provide uniform rules for determining the maximum prices applicable to sales of surplus lumber.

SEC. 2. *Relation to other regulations—(a) Regulations and orders superseded.* This regulation supersedes Revised Maximum Price Regulation 204 and Supplementary Order 130 insofar as sales of lumber are concerned.

(b) *Regulations not superseded.* This regulation does not cover sales by distribution yards of lumber purchased by them as surplus and made an integral part of their distribution yard stock. Such sales remain subject to Second Re-

vised Maximum Price Regulation 215, Distribution Yard Sales of Softwood, or Revised Maximum Price Regulation 467, Distribution Yard Sales of Hardwood Lumber.

This regulation does not cover sales of lumber made by sawmills, planing mills, or concentration yards, as defined in, and covered by, the basic mill regulation applicable to the particular species of lumber sold.

SEC. 3. *Coverage of this regulation.* This regulation applies to sales of surplus lumber, as defined in section 4. It specifically covers sales of surplus lumber by any Government agency and by contractors or subcontractors whose contracts have been terminated or cancelled by a Government agency and who sell for the account of the Government, but such coverage is subject to the paramount provisions of Supplementary Order 94. It also specifically covers resales of surplus lumber purchased from any of the foregoing;

*Provided, however,* That although this regulation may apply to purchases, it does not cover sales or deliveries by a sawmill, planing mill, or concentration yard of any species of lumber produced in the region in which the mill or concentration yard is located, or sales or deliveries of lumber by distribution yards out of their regular yard stock as defined in Second Revised Maximum Price Regulation 215, or sales or deliveries by lumber wholesalers of lumber purchased from any of the foregoing.

SEC. 4. *Definition of terms as used in this regulation.* (a) "Lumber" means lumber and forest products which, if sold by the producer or producing mill, would be covered by the maximum price regulations listed below, and any later revisions or amendments thereof, and shall include special items not specifically listed in such regulations but for which a maximum price has been approved by the Lumber Branch of the Office of Price Administration or which would be subject to the special pricing provisions of such regulations. It does not mean used lumber as defined in General Order No. 61.

Maximum price regulations covering producers' sales	Lumber species and products to which this regulation applies
Third RMPR 13...	Douglas fir and other softwood plywood.
Second RMPR 19...	Southern pine lumber.
MPR 19A.....	Log-run southern pine lumber.
RMPR 26.....	Douglas fir and other West Coast lumber.
RMPR 94.....	Western pine and associated species of lumber.
RMPR 97.....	Southern hardwood lumber.
MPR 146.....	Appalachian hardwood lumber.
MPR 155.....	Central hardwood lumber.
RMPR 164.....	Western softwood shingles.
RMPR 217.....	Walnut lumber and walnut gunstock blanks.
Third RMPR 219...	Northeastern softwood lumber.
Second RMPR 222...	Northern softwood lumber.

Maximum price regulations covering producers' sales	Lumber species and products to which this regulation applies
MPR 223.....	Northern hardwood lumber.
MPR 253.....	Redwood lumber and millwork.
RMPR 290.....	Sitka spruce lumber.
MPR 368.....	Northeastern hardwood lumber.
MPR 402.....	Western red cedar lumber.
MPR 412.....	Tidewater red cypress lumber.
MPR 454.....	Aromatic red cedar lumber.

Species and products covered by other regulations may be added to this definition of lumber as the need for their inclusion becomes apparent.

(b) "Surplus lumber" means lumber which was purchased by any person for use or further fabrication and not for resale as lumber in the regular course of business, and which has become excess as a by-product of fabrication or by reason of the modification, termination, cancellation or completion of contracts or for any other reason. Once having become surplus lumber, it shall continue to be treated as surplus lumber for the purpose of this regulation until it is purchased by a user or a seller whose sales are excluded in section 3 from the coverage of this regulation. So long as the lumber sold meets the definition in paragraph (a) of this section, it may be "surplus lumber" even though it has been reworked or remanufactured into specifications varying from those applicable to its purchase.

(c) "Present site" means the place where the surplus lumber is physically located at the time of sale by the person in whose hands it became surplus lumber. For the purpose of computations of price, it is immaterial that the lumber may have been moved after a sale to a reseller.

(d) "Price regulation" means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, as amended, or a maximum price regulation heretofore or hereafter issued, or an amendment to, or order under, any such schedule or regulation, whether such amendment or order is heretofore or hereafter issued.

(e) "Person" includes an individual, corporation, partnership, association or other organized group of persons, or legal successor or representative of any of the foregoing and includes the United States or any agency thereof or any other government or any of its political subdivisions or any agency of the foregoing.

(f) *Meaning of other terms.* Unless the context otherwise requires and unless definitions are set forth in this regulation, the definitions set forth in the price regulations listed in section 2 and in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this regulation.

SEC. 5. *Geographical application.* The provisions of this regulation shall apply only in the forty-eight States of the United States and in the District of Columbia.

## ARTICLE II—MAXIMUM PRICES

**SEC. 6. Sales of surplus lumber.** On and after December 3, 1945, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive any surplus lumber as defined in this regulation in transactions covered by this regulation at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things; except that sales of surplus lumber which would otherwise be subject to this regulation are exempt from all provisions of this or any other maximum price regulation when the total amount of the transaction is less than \$50.00.

Prices lower than the ceiling prices may, in any case, be charged and paid.

**SEC. 7. Types of sales.** Sales of surplus lumber may be of three types, each of which is described below:

(1) Sales "f. o. b. present site" means sales of lumber loaded on cars or vessel if any part of delivery is by rail or water, or loaded on trucks if delivery is entirely by truck. If the lumber must be trucked to a shipping point for transportation by rail or water, loading on the conveyance includes trucking to the shipping point.

(2) Sales "where is" means sales of lumber where located. In this case all loading and movement is to be arranged and performed or paid for by the buyer.

(3) Sales on a delivered basis means sales of lumber delivered f. o. b. final destination.

**SEC. 8. Maximum prices—(a) For sales f. o. b. present site,** the maximum price is the sum of the f. o. b. mill price and the inbound freight charges, both computed as provided in sections 9 and 10.

(b) For sales "where is", the maximum price is the sum of the f. o. b. mill price and the inbound freight charges, both computed as provided in sections 9 and 10, reduced by \$1.50 per M'BM to cover the handling cost and, if the lumber is to move by either rail or water, further reduced by the cost of transportation to the nearest loading-out point computed as follows: For distances up to and including 10 miles, \$1.50 per M'BM; over 10 and up to and including 20 miles, \$2.00 per M'BM; over 20 and up to and including 30 miles, \$2.50 per M'BM.

(c) For sales on a delivered basis, the maximum price is the sum of the f. o. b. mill price and the inbound freight charges, both computed as provided in sections 9 and 10, plus outbound transportation charges figured as follows:

(1) Where delivery is by rail, multiply the estimated weight of the shipment by the lowest through carload rates prevailing at the time of the sale from the rail loading point nearest to the present site of the surplus lumber to the point of delivery selected by the buyer, and add the prevailing transportation tax. Even out the transportation addition to the nearest quarter of a dollar.

If the lumber is a hardwood, the estimated weights are provided in Appendix B, Part 2 of this regulation.

If the lumber is a softwood, the estimated weights are provided in the applicable mill regulation. If the softwood

lumber is now dry, regardless of the condition in which bought, you must use the dry weights provided. If the softwood lumber is green and you wish to use green weights, you must apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for permission to do so.

(2) Where delivery is by truck owned or controlled by the seller, the following amounts may be added for transportation: For distance up to and including 10 miles, \$1.50 per M'BM; over 10 and up to and including 20 miles, \$2.00 per M'BM; over 20 and up to and including 30 miles, \$2.50 per M'BM. Where the distance is greater than 30 miles the seller may charge the amount of the railroad charge at the carload rate for the most similar haul or \$3.00 per M'BM, whichever is greater. Distance, as used in this paragraph, means the distance from the "present site" to the point of destination as measured by the speedometer. No addition may be made for the return trip.

**SEC. 9. How to compute the f. o. b. mill price.** The first step in computing maximum prices is to find the f. o. b. mill price. To compute the f. o. b. mill price you first determine the species of lumber you are selling. If it is softwood lumber, you must find in Appendix A the mill regulation that is applicable to the sale of that species when the lumber is situated at its present site; if it is hardwood lumber, Appendix B will designate the proper mill regulation to be used for the specific species according to the present site of the lumber. In all cases, the mill regulations referred to in the appendices shall apply regardless of the price regulation which actually governed the original sale of the lumber.

Following the provisions of the applicable mill regulation, you find the price f. o. b. mill for a full carload sale of lumber of the same species, grade, size, working and condition as the lumber you are selling. Where the regulation provides different prices for the same species depending on the point of origin of the shipment, the prices you are to use, which are determined by the present site of the lumber, are shown in Appendix A or B. You will note that in order to obtain the proper f. o. b. mill price, you have to grade and tally the lumber you are selling. If you do not have a person available who is competent to grade and tally lumber, call upon your local lumber dealer or other local lumber representative for assistance. You may not rely upon the grading shown on your purchase invoice. Surplus lumber must be reggraded before delivery, and sold on proper and accurate grade and tally.

The maximum price thus arrived at from the mill regulations (including all additions applicable to the lumber you are selling which are not expressly denied to you by this section) is the f. o. b. mill price for all species except Southern pine. For Southern pine lumber you may add an additional 4 percent, but not more than \$2.00 per M'BM, to the price arrived at from Appendix A or B of Second Revised Maximum Price Regulation 19.

(a) **Rules to be observed in computing f. o. b. mill prices.** (1) You may not make any additions to the f. o. b. mill price for grade-marking, for small lot

or less-than-carload shipments or for mixed-car or mixed-truck shipments, regardless of any provisions in the applicable mill regulation to the contrary.

(2) You may sell surplus lumber in mixed grades of the same species but, if the applicable mill regulation does not give a specific price for the particular combination of grades in the mixture, you must find the price in the applicable mill regulation for the lowest grade in the lot and apply that price to the entire lot.

(3) You may sell surplus lumber in a lot containing more than one species. However, in such a mixed species sale, you must find the prices in the applicable mill regulations for the lowest grade in the lot of each species in the lot and apply the lowest of these prices to the entire lot.

(4) You may, of course, sort the surplus lumber into separate lots according to species and grade and invoice each lot separately.

(5) The prices and provisions currently effective in the applicable mill regulation for the item in its present grade, size, working and condition shall apply, without regard to the original purchase price. Specifically, you may not take into account in computing the f. o. b. mill price, and you may not make any additions for, the fact that

(i) The lumber was originally grade-marked, or was sold in small lot or less-than-carload shipments or in mixed-car or mixed-truck shipments;

(ii) The lumber was originally purchased through a retail outlet;

(iii) The lumber was refabricated to its present size, condition or specification at a cost higher than that established in the mill regulation for the end product;

(iv) The lumber at the time of purchase was in a grade, condition or size that commands a price higher than that for the present grade, condition or size;

(v) The maximum prices established in the applicable mill regulation have been revised since the date of purchase.

**SEC. 10. How to compute inbound transportation charges.** The second step in computing maximum prices is to figure the permissible inbound freight charges. The permissible inbound freight charges are obtained by multiplying the estimated weight of the lumber sold by the lowest through carload freight rate prevailing at the time of the sale from the appropriate basing point for the species to the rail receiving point that is nearest the present site of the lumber. Add to the total the prevailing transportation tax on a shipment of this nature. The resulting figure is your inbound transportation charge.

(a) **How to find the estimated weights.**

(1) If the surplus lumber being sold is a species of softwood lumber, the estimated weights will be found in a table in the mill regulation which you are using to obtain the f. o. b. mill price. If the lumber is now dry, regardless of the condition in which you bought it, you must use the dry weights. If the lumber is now green and you choose to use green weights, you must apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for permission to do so.



(2) If the surplus lumber being sold is a species of hardwood lumber, you must use the dry weights provided in Appendix B, part 2 of this regulation.

(b) *How to find the appropriate basing point.* Appendix A sets forth the basing points to be used for softwood surplus lumber located in the various states. Appendix B, part 1, sets forth the basing points to be used for hardwood surplus lumber located in the various states.

(c) *Rules to be observed in computing inbound transportation charges.* (1) In all cases, the applicable basing points found in the appendices to this regulation for each species according to the present site of the surplus lumber shall apply regardless of the actual point from which the lumber was shipped.

(2) In all cases, the lowest through carload rail freight rate prevailing at the time of sale shall apply regardless of the mode of transportation by which the lumber was actually delivered to the seller, or the freight actually paid.

(3) If the surplus lumber is located at the basing point, or within a radius of 10 miles from such point, or at a point which takes a freight rate lower than 10 cents per cwt., a rate of 10 cents per cwt. may be used to figure inbound transportation charges.

(4) Transportation additions shall be evened out to the nearest quarter of a dollar.

SEC. 11. *Example of how to figure the maximum price on a sale made f. o. b. present site.* Suppose you are an industrial plant in New York City, New York, and have at your plant 25 M'BM of 1 x 12" R/L dry No. 3 Common Ponderosa pine S4S std. which you wish to sell f. o. b. present site because you no longer have use for it. First, in Appendix A of this regulation you find that you are to determine the f. o. b. mill price of the lumber in Revised Maximum Price Regulation 94 (Western pine and associated species of lumber). In RMPR 94, you find, under Article V, that 1 x 12" R/L dry No. 3 Common Ponderosa pine S4S std. is priced at \$35.00 per M'BM f. o. b. mill and, under Article VI, that the estimated dry weight is listed as 1900 lbs. per M'BM. Next, in Appendix A of this regulation you find that Klamath Falls, Oregon is the basing point you are to use. The freight rate from Klamath Falls, Oregon to New York City, New York is 82¢ per cwt. To get the freight cost per M'BM, multiply the weight by the rate (1900 lbs. by 82¢ per cwt.), which gives a cost of \$15.58 per M'BM. To this you add 3 percent transportation tax (3% of \$15.58) or 47¢ per M'BM which, added to the freight cost, makes a total of \$16.05 per M'BM or, when evened out to the nearest 25¢, a total of \$16.00 per M'BM for inbound transportation charges. Adding the \$16.00 and the \$35.00 f. o. b. mill price gives you a total of \$51.00 per M'BM, which is the maximum price you may charge for this surplus lumber f. o. b. its present site.

#### ARTICLE III—MISCELLANEOUS

SEC. 12. *Prohibited evasive practices—*  
(a) *In general.* Any practice or device which is an attempt to obtain or has the effect of obtaining a price higher than

the maximum price without actually charging a higher price as such, is prohibited and is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings and the like.

(b) *Practices specifically prohibited.*

(1) No person may charge, receive or pay a commission for the service of procuring, buying, selling or locating surplus lumber, or for any related service, such as "expediting," if the commission plus the purchase price results in a total payment by the buyer which is higher than the maximum price in this regulation. A commission is any compensation, however designated, which is based in whole or in part, directly or indirectly, on the quantity, price or value of surplus lumber.

(2) Grading as a special grade, at an addition in price, lumber which is a standard grade; or wrongly grading or invoicing lumber in any other way.

(3) Selling surplus lumber at maximum prices for graded lumber when the lumber has not been regraded by the seller prior to delivery.

(4) Breaking up a transaction which would normally be a single order into a series of smaller orders in order to evade the provisions of this regulation.

(5) Failing to invoice properly and in accordance with the provisions of this regulation.

SEC. 13. *What the invoice must contain.* All invoices must contain a sufficiently complete description of the lumber to show whether the price is proper or not; i. e., grade, quantity, size, condition, pattern, species, and any other specification which affects the maximum price. The invoice must also show the name of the buyer and seller, the price charged, the site of the lumber at time of sale and, if the sale is of a type other than f. o. b. present site, the amount of the deduction for a "where is" sale, or transportation addition for a delivered sale.

SEC. 14. *Records and reports.* (a) On and after the effective date of this regulation every person making sales of surplus lumber shall keep available for inspection by the Office of Price Administration for as long as the Emergency Price Control Act of 1942, as amended, continues in effect.

(1) Complete and accurate records of each sale of surplus lumber showing

(i) A complete description of the lumber;

(ii) The quantity sold;

(iii) When, at what price, and to whom the lumber is sold; and

(iv) How the selling price was arrived at.

(2) *Other records and reports.* Persons subject to this regulation shall keep such other records and submit such other reports, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942, as the Office of Price Administration may from time to time require or permit, either in addition to or in substitution for records and reports required by this regulation.

SEC. 15. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated.

SEC. 16. *Applications for adjustment and petitions for amendment—*(a) *Joint applications for adjustment.* Any seller and buyer seeking relief from any of the provisions in this regulation which affect the maximum price on sales of surplus lumber may present the special circumstances of their case in a joint application for an order of adjustment. Such an application shall be filed in accordance with Revised Procedural Regulation No. 1, shall set forth the facts relating to the hardship to which such provision subjects either or both of the applicants, together with a statement of the reasons why they believe that the granting of relief in the case will not defeat or impair the purpose and intent of the Emergency Price Control Act of 1942, as amended, Executive Orders 9250, 9328 and 9599 and this regulation, and shall establish that the prospective purchaser is able and willing to absorb any increase in price established by an order of adjustment.

(b) *Petition for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

SEC. 17. *Adjustment of sales prices of purchasers under this regulation.* The maximum prices fixed by this regulation for sales and purchases of surplus lumber shall not be used or considered as a basis for amendment, adjustment, exception or other relief under the provisions of any other maximum price regulation, schedule or order.

SEC. 18. *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, suits for treble damages and civil enforcement actions provided for by the Emergency Price Control Act of 1942, as amended.

This regulation shall become effective December 3, 1945.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator,



## APPENDIX A: MAXIMUM PRICE REGULATIONS AND BASING POINTS TO BE USED IN DETERMINING F. O. B. MILL PRICES AND INBOUND FREIGHT CHARGES FOR SURPLUS SALES OF SOFTWOOD LUMBER

Sales of surplus lumber located in—	Items governed by 3RMPR 13				Items governed by 2RMPR 10 and MPR 12A				Items governed by RMPR 22 and RMPR 24			
	Douglas fir, hemlock, noble fir, and white fir plywood		Ponderosa pine plywood		Shorthair yellow pine		Langleaf yellow pine		Douglas fir and West Coast hemlock		White fir and other true fir	
	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point
Alabama	13	Seattle, Wash.	13	Klamath Falls, Oreg.	19	Montgomery, Ala.	19	Alexandria, La.	23	Portland, Oreg.	24	Klamath Falls, Oreg.
Arizona	13	do	13	do	19	Alexandria, La.	19	do	23	do	24	Susanville, Calif.
Arkansas	13	do	13	do	19	do	19	do	23	do	24	Klamath Falls, Oreg.
California	13	do	13	do	19	do	19	do	23	do	25	Portland, Oreg.
Colorado	13	do	13	do	19	do	19	do	23	do	24	Klamath Falls, Oreg.
Connecticut	13	do	13	do	19	Macon, Ga.	19	Fert Myers, Fla.	23	do	24	Do.
Delaware	13	do	13	do	19	Goldstere, N. O.	19	do	23	do	24	Do.
District of Columbia	13	do	13	do	19	do	19	do	23	do	24	Do.
Florida	13	do	13	do	19	Valdosta, Ga.	19	do	23	do	24	Do.
Georgia	13	do	13	do	19	Macon, Ga.	19	do	23	do	24	Do.
Idaho	13	do	13	do	19	Alexandria, La.	19	Alexandria, La.	23	do	24	Spokane, Wash.
Illinois	13	do	13	do	19	Hattiesburg, Miss.	19	do	23	do	24	Klamath Falls, Oreg.
Indiana	13	do	13	do	19	do	19	do	23	do	24	Do.
Iowa	13	do	13	do	19	Alexandria, La.	19	do	23	do	24	Spokane, Wash.
Kansas	13	do	13	do	19	do	19	do	23	do	24	Klamath Falls, Oreg.
Kentucky	13	do	13	do	19	Hattiesburg, Miss.	19	do	23	do	24	Do.
Louisiana	13	do	13	do	19	Alexandria, La.	19	do	23	do	24	Do.
Maine	13	do	13	do	19	Macon, Ga.	19	Fert Myers, Fla.	23	do	24	Do.
Maryland	13	do	13	do	19	Goldstere, N. O.	19	do	23	do	24	Do.
Massachusetts	13	do	13	do	19	Macon, Ga.	19	do	23	do	24	Do.
Michigan	13	do	13	do	19	Hattiesburg, Miss.	19	Alexandria, La.	23	do	24	Do.
Minnesota	13	do	13	do	19	Alexandria, La.	19	do	23	do	24	Do.
Mississippi	13	do	13	do	19	Hattiesburg, Miss.	19	do	23	do	24	Do.
Missouri	13	do	13	do	19	Alexandria, La.	19	do	23	do	24	Do.
Montana	13	do	13	do	19	do	19	do	23	do	24	Spokane, Wash.
Nebraska	13	do	13	do	19	do	19	do	23	do	24	Klamath Falls, Oreg.
Nevada	13	do	13	do	19	do	19	do	23	do	24	Do.
New Hampshire	13	do	13	do	19	Macon, Ga.	19	Fert Myers, Fla.	23	do	24	Do.
New Jersey	13	do	13	do	19	do	19	do	23	do	24	Do.
New Mexico	13	do	13	do	19	Alexandria, La.	19	Alexandria, La.	23	do	24	Susanville, Calif.
New York	13	do	13	do	19	Macon, Ga.	19	Fert Myers, Fla.	23	do	24	Klamath Falls, Oreg.
North Carolina	13	do	13	do	19	Goldstere, N. O.	19	do	23	do	24	Do.
North Dakota	13	do	13	do	19	Alexandria, La.	19	Alexandria, La.	23	do	24	Spokane, Wash.
Ohio	13	do	13	do	19	Macon, Ga.	19	do	23	do	24	Klamath Falls, Oreg.
Oklahoma	13	do	13	do	19	Alexandria, La.	19	do	23	do	24	Do.
Oregon	13	do	13	do	19	do	19	do	23	do	25	Portland, Oreg.
Pennsylvania	13	do	13	do	19	Macon, Ga.	19	Fert Myers, Fla.	23	do	24	Klamath Falls, Oreg.
Rhode Island	13	do	13	do	19	do	19	do	23	do	24	Do.
South Carolina	13	do	13	do	19	Sumter S. O.	19	do	23	do	24	Do.
South Dakota	13	do	13	do	19	Alexandria, La.	19	Alexandria, La.	23	do	24	Spokane, Wash.
Tennessee	13	do	13	do	19	Macon, Ga.	19	do	23	do	24	Klamath Falls, Oreg.
Texas	13	do	13	do	19	Alexandria, La.	19	do	23	do	24	Susanville, Calif.
Utah	13	do	13	do	19	do	19	do	23	do	24	Klamath Falls, Oreg.
Vermont	13	do	13	do	19	Macon, Ga.	19	Fert Myers, Fla.	23	do	24	Do.
Virginia	13	do	13	do	19	Goldstere, N. O.	19	do	23	do	24	Do.
Washington	13	do	13	do	19	Alexandria, La.	19	Alexandria, La.	23	Seattle, Wash.	25	Seattle, Wash.
West Virginia	13	do	13	do	19	Goldstere, N. O.	19	Fert Myers, Fla.	23	Portland, Oreg.	24	Klamath Falls, Oreg.
Wisconsin	13	do	13	do	19	Hattiesburg, Miss.	19	Alexandria, La.	23	do	24	Do.
Wyoming	13	do	13	do	19	Alexandria, La.	19	do	23	do	24	Spokane, Wash.

  

Sales of surplus lumber located in—	Items governed by RMPR 24				Items governed by RMPR 124		Items governed by RMPR 212	
	Ponderosa and lodgepole pine, inland larch, Englemann spruce, incense cedar		Idaho white pine		Sugar pine		Western softwood shingles	Northeastern white pine
	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point
Alabama	24	Klamath Falls, Oreg.	24	Spokane, Wash.	24	Klamath Falls, Oreg.	124	Seattle, Wash.
Arizona	24	Susanville, Calif.	24	do	24	Susanville, Calif.	124	do
Arkansas	24	Klamath Falls, Oreg.	24	do	24	Klamath Falls, Oreg.	124	do
California	24	do	24	do	24	do	124	do
Colorado	24	do	24	do	24	do	124	do
Connecticut	24	do	24	do	24	do	124	do
Delaware	24	do	24	do	24	do	124	do
Dist. of Columbia	24	do	24	do	24	do	124	do
Florida	24	do	24	do	24	do	124	do
Georgia	24	do	24	do	24	do	124	do
Idaho	24	Spokane, Wash.	24	do	24	do	124	do
Illinois	24	Klamath Falls, Oreg.	24	do	24	do	124	do
Indiana	24	do	24	do	24	do	124	do
Iowa	24	do	24	do	24	do	124	do
Kansas	24	Spokane, Wash.	24	do	24	do	124	do
Kentucky	24	Klamath Falls, Oreg.	24	do	24	do	124	do
Louisiana	24	do	24	do	24	do	124	do
Maine	24	do	24	do	24	do	124	do
Maryland	24	do	24	do	24	do	124	do
Massachusetts	24	do	24	do	24	do	124	do
Michigan	24	do	24	do	24	do	124	do
Minnesota	24	do	24	do	24	do	124	do
Mississippi	24	do	24	do	24	do	124	do
Missouri	24	do	24	do	24	do	124	do
Montana	24	Spokane, Wash.	24	do	24	do	124	do
Nebraska	24	Klamath Falls, Oreg.	24	do	24	do	124	do
Nevada	24	do	24	do	24	do	124	do

See footnotes at end of table.

## APPENDIX A: MAXIMUM PRICE REGULATIONS AND BASING POINTS TO BE USED IN DETERMINING F. O. B. MILL PRICES AND INBOUND FREIGHT CHARGES FOR SURPLUS SALES OF SOFTWOOD LUMBER—Continued

Sales of surplus lumber located in—	Items governed by RMPR 94						Items governed by RMPR 164		Items governed by 3RMPR 219	
	Ponderosa and lodgepole pine, inland larch, Englemann spruce, incense cedar			Idaho white pine		Sugar pine	Western softwood shingles		Northeastern white pine	
	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point
New Hampshire.....	94	Klamath Falls, Oreg.	94	Spokane, Wash.	94	Klamath Falls, Oreg.	164	Seattle, Wash.	219	Norway, Maine.
New Jersey.....	94	do.	94	do.	94	do.	164	do.	219	do.
New Mexico.....	94	Susanville, Calif.	94	do.	94	Susanville, Calif.	164	do.	219	Bristol, Tenn.
New York.....	94	Klamath Falls, Oreg.	94	do.	94	Klamath Falls, Oreg.	164	do.	219	Norway, Maine.
North Carolina.....	94	do.	94	do.	94	do.	164	do.	219	Bristol, Tenn.
North Dakota.....	94	Spokane, Wash.	94	do.	94	do.	164	do.	219	do.
Ohio.....	94	Klamath Falls, Oreg.	94	do.	94	do.	164	do.	219	do.
Oklahoma.....	94	do.	94	do.	94	do.	164	do.	219	do.
Oregon.....	94	do.	94	do.	94	do.	164	do.	219	do.
Pennsylvania.....	94	do.	94	do.	94	do.	164	do.	219	do.
Rhode Island.....	94	do.	94	do.	94	do.	164	do.	219	Norway, Maine.
South Carolina.....	94	do.	94	do.	94	do.	164	do.	219	Bristol, Tenn.
South Dakota.....	94	Spokane, Wash.	94	do.	94	do.	164	do.	219	do.
Tennessee.....	94	Klamath Falls, Oreg.	94	do.	94	do.	164	do.	219	do.
Texas.....	94	Susanville, Calif.	94	do.	94	Susanville, Calif.	164	do.	219	do.
Utah.....	94	Klamath Falls, Oreg.	94	do.	94	Klamath Falls, Oreg.	164	do.	219	do.
Vermont.....	94	do.	94	do.	94	do.	164	do.	219	Norway, Maine.
Virginia.....	94	do.	94	do.	94	do.	164	do.	219	Bristol, Tenn.
Washington.....	94	Spokane, Wash.	94	do.	94	do.	164	do.	219	do.
West Virginia.....	94	Klamath Falls, Oreg.	94	do.	94	do.	164	do.	219	do.
Wisconsin.....	94	do.	94	do.	94	do.	164	do.	219	do.
Wyoming.....	94	Spokane, Wash.	94	do.	94	do.	164	do.	219	do.

  

Sales of surplus lumber located in—	Items governed by 3RMPR 219—Continued						Items governed by 2RMPR 222			
	Eastern spruce Norway Pine and jack pine lumber, and white cedar shingles		Ottawa Valley white and Norway Pine		Eastern Hemlock		Northern Hemlock, white pine and white cedar, Norway Pine, eastern spruce, aspen and mixed Northern softwoods		Jack Pine	
	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point
Alabama.....	219	Cass, W. Va.	219	Chicago, Ill.	219-E*	Bristol, Tenn.	222	Wausau, Wis.	222	Milpah, Minn.
Arizona.....	219	do.	219	do.	219-E*	do.	222	do.	222	do.
Arkansas.....	219	do.	219	do.	219-E*	do.	222	do.	222	do.
California.....	219	do.	219	do.	219-E*	do.	222	do.	222	do.
Colorado.....	219	do.	219	do.	219-E*	do.	222	do.	222	do.
Connecticut.....	219	Vanceboro, Maine	219	Niagara Falls, N. Y.	219-D*	Norway, Maine	222	do.	222	do.
Delaware.....	219	Cass, W. Va.	219	do.	219-E*	Williamsport, Pa.	222	do.	222	do.
Dist. of Columbia.....	219	do.	219	do.	219-E*	do.	222	do.	222	do.
Florida.....	219	do.	219	Detroit, Mich.	219-E*	Bristol, Tenn.	222	do.	222	do.
Georgia.....	219	do.	219	do.	219-E*	do.	222	do.	222	do.
Idaho.....	219	do.	219	Chicago, Ill.	219-E*	do.	222	do.	222	do.
Illinois.....	219	do.	219	do.	219-E*	do.	222	do.	222	do.
Indiana.....	219	do.	219	do.	219-E*	do.	222	do.	222	do.
Iowa.....	219	do.	219	do.	219-E*	do.	222	do.	222	do.
Kansas.....	219	do.	219	do.	219-E*	do.	222	do.	222	do.
Kentucky.....	219	do.	219	do.	219-E*	do.	222	do.	222	do.
Louisiana.....	219	do.	219	do.	219-E*	do.	222	do.	222	do.
Maine.....	219	Vanceboro, Maine	219	Niagara Falls, N. Y.	219-D*	Norway, Maine	222	do.	222	do.
Maryland.....	219	Cass, W. Va.	219	do.	219-E*	Williamsport, Pa.	222	do.	222	do.
Massachusetts.....	219	Vanceboro, Maine	219	do.	219-D*	Norway, Maine	222	do.	222	do.
Michigan.....	219	Cass, W. Va.	219	Detroit, Mich.	219-E*	Williamsport, Pa.	222	do.	222	do.
Minnesota.....	219	do.	219	Chicago, Ill.	219-E*	Bristol, Tenn.	222	do.	222	do.
Mississippi.....	219	do.	219	do.	219-E*	do.	222	do.	222	do.
Missouri.....	219	do.	219	do.	219-E*	do.	222	do.	222	do.
Montana.....	219	do.	219	do.	219-E*	do.	222	do.	222	do.
Nebraska.....	219	do.	219	do.	219-E*	do.	222	do.	222	do.
Nevada.....	219	do.	219	do.	219-E*	do.	222	do.	222	do.
New Hampshire.....	219	Vanceboro, Maine	219	Niagara Falls, N. Y.	219-D*	Norway, Maine	222	do.	222	do.
New Jersey.....	219	do.	219	do.	219-E*	Williamsport, Pa.	222	do.	222	do.
New Mexico.....	219	Cass, W. Va.	219	Chicago, Ill.	219-E*	Bristol, Tenn.	222	do.	222	do.
New York.....	219	Vanceboro, Maine	219	Niagara Falls, N. Y.	219-E*	Williamsport, Pa.	222	do.	222	do.
North Carolina.....	219	Cass, W. Va.	219	do.	219-E*	Bristol, Tenn.	222	do.	222	do.
North Dakota.....	219	do.	219	Chicago, Ill.	219-E*	do.	222	do.	222	do.
Ohio.....	219	do.	219	Detroit, Mich.	219-E*	do.	222	do.	222	do.
Oklahoma.....	219	do.	219	Chicago, Ill.	219-E*	do.	222	do.	222	do.
Oregon.....	219	do.	219	do.	219-E*	do.	222	do.	222	do.
Pennsylvania.....	219	do.	219	Niagara Falls, N. Y.	219-E*	Williamsport, Pa.	222	do.	222	do.
Rhode Island.....	219	Vanceboro, Maine	219	do.	219-D*	Norway, Maine	222	do.	222	do.
South Carolina.....	219	Cass, W. Va.	219	Detroit, Mich.	219-E*	Bristol, Tenn.	222	do.	222	do.
South Dakota.....	219	do.	219	Chicago, Ill.	219-E*	do.	222	do.	222	do.
Tennessee.....	219	do.	219	do.	219-E*	do.	222	do.	222	do.
Texas.....	219	do.	219	do.	219-E*	do.	222	do.	222	do.
Utah.....	219	do.	219	do.	219-E*	do.	222	do.	222	do.
Vermont.....	219	Vanceboro, Maine	219	Niagara Falls, N. Y.	219-D*	Norway, Maine	222	do.	222	do.
Virginia.....	219	Cass, W. Va.	219	do.	219-E*	Bristol, Tenn.	222	do.	222	do.
Washington.....	219	do.	219	Chicago, Ill.	219-E*	do.	222	do.	222	do.
West Virginia.....	219	do.	219	Detroit, Mich.	219-E*	do.	222	do.	222	do.
Wisconsin.....	219	do.	219	Chicago, Ill.	219-E*	do.	222	do.	222	do.
Wyoming.....	219	do.	219	do.	219-E*	do.	222	do.	222	do.

See footnotes at end of table.

## APPENDIX A: MAXIMUM PRICE REGULATIONS AND BASING PORTS TO BE USED IN DETERMINING F. O. B. MILL PRICES AND INBOUND FREIGHT CHARGES FOR SURPLUS SALES OF REDWOOD LUMBER—Continued

Sales of surplus lumber located in 1—	Items governed by 2RMFR 222—Continued		Items governed by MPR 223		Items governed by 2RMFR 229		Items governed by MPR 422 and 2RMFR 64		Items governed by MPR 412	
	Imported western white spruce from mills in Canada 2		Redwood		Sitka spruce		Western red cedar		Tidewater red cypress	
	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point
Alabama.....	222	Spokane, Wash.	223	See footnote 6.	229	Portland, Oreg.	422	Seattle, Wash.	412	Ferry, Fla.
Arizona.....	222	do	223	Eureka, Calif.	229	do	422	do	412	Ponchatoula, La.
Arkansas.....	222	do	223	See footnote 6.	229	do	422	do	412	do
California.....	222	do	223	Eureka, Calif.	229	do	422	do	412	do
Colorado.....	222	do	223	See footnote 6.	229	do	422	do	412	do
Connecticut.....	222	do	223	do	229	do	422	do	412	Ferry, Fla.
Delaware.....	222	do	223	do	229	do	422	do	412	do
Dist. of Columbia.....	222	do	223	do	229	do	422	do	412	do
Florida.....	222	do	223	do	229	do	422	do	412	do
Georgia.....	222	do	223	do	229	do	422	do	412	Albany, Ga.
Idaho.....	222	do	223	Eureka, Calif.	229	do	422	do	412	Ponchatoula, La.
Illinois.....	222	do	223	See footnote 6.	229	do	422	do	412	Ferry, Fla.
Indiana.....	222	do	223	do	229	do	422	do	412	do
Iowa.....	222	do	223	do	229	do	422	do	412	Ponchatoula, La.
Kansas.....	222	do	223	do	229	do	422	do	412	do
Kentucky.....	222	do	223	do	229	do	422	do	412	Ferry, Fla.
Louisiana.....	222	do	223	do	229	do	422	do	412	Ponchatoula, La.
Maine.....	222	do	223	do	229	do	422	do	412	Ferry, Fla.
Maryland.....	222	do	223	do	229	do	422	do	412	do
Massachusetts.....	222	do	223	do	229	do	422	do	412	do
Michigan.....	222	do	223	do	229	do	422	do	412	do
Minnesota.....	222	do	223	do	229	do	422	do	412	Ponchatoula, La.
Mississippi.....	222	do	223	do	229	do	422	do	412	do
Missouri.....	222	do	223	do	229	do	422	do	412	do
Montana.....	222	do	223	Eureka, Calif.	229	do	422	do	412	do
Nebraska.....	222	do	223	See footnote 6.	229	do	422	do	412	do
Nevada.....	222	do	223	Eureka, Calif.	229	do	422	do	412	do
New Hampshire.....	222	do	223	See footnote 6.	229	do	422	do	412	Ferry, Fla.
New Jersey.....	222	do	223	do	229	do	422	do	412	do
New Mexico.....	222	do	223	Eureka, Calif.	229	do	422	do	412	Ponchatoula, La.
New York.....	222	do	223	See footnote 6.	229	do	422	do	412	Ferry, Fla.
North Carolina.....	222	do	223	do	229	do	422	do	412	Sumter, S. C.
North Dakota.....	222	do	223	do	229	do	422	do	412	Ponchatoula, La.
Ohio.....	222	do	223	do	229	do	422	do	412	Ferry, Fla.
Oklahoma.....	222	do	223	do	229	do	422	do	412	Ponchatoula, La.
Oregon.....	222	do	223	Eureka, Calif.	229	do	422	do	412	do
Pennsylvania.....	222	do	223	See footnote 6.	229	do	422	do	412	Ferry, Fla.
Rhode Island.....	222	do	223	do	229	do	422	do	412	do
South Carolina.....	222	do	223	do	229	do	422	do	412	Sumter, S. C.
South Dakota.....	222	do	223	do	229	do	422	do	412	Ponchatoula, La.
Tennessee.....	222	do	223	do	229	do	422	do	412	Albany, Ga.
Texas.....	222	do	223	do	229	do	422	do	412	Ponchatoula, La.
Utah.....	222	do	223	Eureka, Calif.	229	do	422	do	412	do
Vermont.....	222	do	223	See footnote 6.	229	do	422	do	412	Ferry, Fla.
Virginia.....	222	do	223	do	229	do	422	do	412	do
Washington.....	222	do	223	Eureka, Calif.	229	Seattle, Wash.	422	do	412	Ponchatoula, La.
West Virginia.....	222	do	223	See footnote 6.	229	Portland, Oreg.	422	do	412	Ferry, Fla.
Wisconsin.....	222	do	223	do	229	do	422	do	412	do
Wyoming.....	222	do	223	Eureka, Calif.	229	do	422	do	412	Ponchatoula, La.

1 The location means the place where the lumber was situated at the time of sale by the person in whose hands it became surplus lumber. This is the "present" location regardless of whether the lumber may have been moved after a surplus sale to another reseller.

2 West of the Cascades, use rate of 10¢ per cwt.

3 Use appendix F of 3RMFR 219 for prices and weights.

4 Upper peninsula, use Chicago, Ill., as basing point.

5 Use British Columbia and Alberta prices.

6 The maximum prices for these states are not f. o. b. mill but are delivered prices on a fifty-seven cent (57¢) rate. If the actual freight rate from Eureka, Calif., to the present

location of the lumber is greater than 274, you may add 1 for inland transportation only an amount computed by multiplying the excess of the actual rate over the 57¢ rate by the weight of each item, rounding off to the nearest 2¢ per thousand feet. If the actual freight rate from Eureka, Calif., is less than the 57¢, you must subtract from the actual rate an amount computed by multiplying the difference in the rates by the weight per thousand feet (rounding off to the nearest 2¢), in order to determine the price per thousand feet f. o. b. present site.

7 You may make the addition in section 21 of MPR 412 allowed mills in Louisiana.

8 Use appendix D of 3RMFR 219 for prices and weights.

9 Use appendix E of 3RMFR 219 for prices and weights.

## APPENDIX B, PART I: MAXIMUM PRICE REGULATIONS AND BASING PORTS TO BE USED IN DETERMINING F. O. B. MILL PRICES AND INBOUND FREIGHT CHARGES FOR SURPLUS SALES OF HARDWOOD LUMBER

Sales of surplus lumber located in: 1	Tough ash 2		Soft ash		Basswood		Beech		Birch	
	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point
Alabama.....	97	New Orleans, La.	97	Montgomery, Ala.	97	Montgomery, Ala.	97	Montgomery, Ala.	223	Waukegan, Wis.
Arizona.....	97	do	97	Alexandria, La.	125-SC*	Jackson, Tenn.	125-SC*	Jackson, Tenn.	223	do
Arkansas.....	97	Memphis, Tenn.	97	do	97	Alexandria, La.	97	Alexandria, La.	223	do
California.....	97	do	97	do	125-SC*	Jackson, Tenn.	125-SC*	Jackson, Tenn.	223	do
Colorado.....	97	do	97	do	125-SC*	do	125-SC*	do	223	do
Connecticut.....	97	Savannah, Ga.	97	Montgomery, Ala.	145	Richfield, W. Va.	145	Conifer, N. Y.	223	Conifer, N. Y.
Delaware.....	97	do	97	do	145	do	145	Richfield, W. Va.	145	Richfield, W. Va.
Dist. of Columbia.....	97	do	97	do	145	do	145	do	145	do
Florida.....	97	New Orleans, La.	97	do	97	Montgomery, Ala.	97	Montgomery, Ala.	145	Charleston, W. Va.
Georgia.....	97	Savannah, Ga.	97	do	97	do	97	do	145	do
Idaho.....	97	Memphis, Tenn.	97	Alexandria, La.	125-SC*	Jackson, Tenn.	125-SC*	Jackson, Tenn.	223	Waukegan, Wis.
Illinois.....	97	do	97	Montgomery, Ala.	145	Richfield, W. Va.	145	Louisville, Ky.	223	Rhineland, Wis.
Indiana.....	97	do	97	do	125-NC*	Louisville, Ky.	125-NC*	do	223	Waukegan, Wis.
Iowa.....	97	do	97	Alexandria, La.	223	Waukegan, Wis.	223	do	223	do
Kansas.....	97	do	97	do	145	Evansville, Ind.	223	Waukegan, Wis.	223	do
Kentucky.....	97	do	155-SC*	Jackson, Tenn.	145	Jackson, Tenn.	125-SC*	Evansville, Ind.	223	do
Louisiana.....	97	New Orleans, La.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.	223	do
Maine.....	97	Savannah, Ga.	97	Montgomery, Ala.	145	Richfield, W. Va.	223	Conifer, N. Y.	223	Conifer, N. Y.
Maryland.....	145	Greensboro, N. C.	97	do	145	do	145	Richfield, W. Va.	145	Richfield, W. Va.
Massachusetts.....	97	Savannah, Ga.	97	do	145	do	223	Conifer, N. Y.	223	Conifer, N. Y.
Michigan.....	97	Memphis, Tenn.	97	do	223	Iron Mountain, Mich.	223	Waukegan, Wis.	223	Iron Mountain, Mich.
Minnesota.....	97	do	97	Alexandria, La.	223	Waukegan, Wis.	223	do	223	Waukegan, Wis.
Mississippi.....	97	do	97	Montgomery, Ala.	97	Montgomery, Ala.	97	Montgomery, Ala.	223	do

See footnotes at end of table.

## APPENDIX B, PART 1: MAXIMUM PRICE REGULATIONS AND BASING POINTS TO BE USED IN DETERMINING F. O. B. MILL PRICES AND INBOUND FREIGHT CHARGES FOR SURPLUS SALES OF HARDWOOD LUMBER—Continued

Sales of surplus lumber located in—	Tough ash		Soft ash		Basswood		Beech		Birch	
	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point
Missouri.....	97	Jackson, Miss.	155-SC*	Jackson, Tenn.	146	Evansville, Ind.	97	Jackson, Miss.	223	Do.
Montana.....	97	Memphis, Tenn.	97	Alexandria, La.	155-SC*	Jackson, Tenn.	155-SC*	Jackson, Tenn.	223	Do.
Nebraska.....	97	do.	97	do.	223	Wausau, Wis.	146	Evansville, Ind.	223	Do.
Nevada.....	97	do.	97	do.	155-SC*	Jackson, Tenn.	155-SC*	Jackson, Tenn.	223	Do.
New Hampshire.....	97	Savannah, Ga.	97	Montgomery, Ala.	146	Rainelle, W. Va.	363	Conifer, N. Y.	363	Conifer, N. Y.
New Jersey.....	97	do.	97	do.	146	do.	363	do.	363	Rainelle, W. Va.
New Mexico.....	97	New Orleans, La.	97	Alexandria, La.	155-SC*	Jackson, Tenn.	155-SC*	Jackson, Tenn.	223	Wausau, Wis.
New York.....	97	Savannah, Ga.	97	Montgomery, Ala.	146	Rainelle, W. Va.	363	Conifer, N. Y.	363	Conifer, N. Y.
North Carolina.....	97	do.	97	do.	146	Charleston, W. Va.	97	Montgomery, Ala.	146	Charleston, W. Va.
North Dakota.....	97	Memphis, Tenn.	97	Alexandria, La.	146	Wausau, Wis.	146	Evansville, Ind.	223	Wausau, Wis.
Ohio.....	97	do.	97	Montgomery, Ala.	146	Rainelle, W. Va.	146	Rainelle, W. Va.	223	Do.
Oklahoma.....	97	do.	97	Alexandria, La.	97	Alexandria, La.	155-SC*	Jackson, Tenn.	223	Do.
Oregon.....	97	do.	97	do.	155-SC*	Jackson, Tenn.	155-SC*	Jackson, Tenn.	223	Do.
Pennsylvania.....	146	Charleston, W. Va.	97	Montgomery, Ala.	146	Rainelle, W. Va.	363	Conifer, N. Y.	363	Conifer, N. Y.
Rhode Island.....	97	Savannah, Ga.	97	do.	146	do.	363	do.	363	Do.
South Carolina.....	97	do.	97	Alexandria, La.	97	Montgomery, Ala.	97	Montgomery, Ala.	146	Charleston, W. Va.
South Dakota.....	97	Memphis, Tenn.	155-SC*	Montgomery, Ala.	155-SC*	Wausau, Wis.	146	Evansville, Ind.	223	Wausau, Wis.
Tennessee.....	97	New Orleans, La.	97	Montgomery, Ala.	97	Montgomery, Ala.	97	New Orleans, La.	223	Do.
Texas.....	97	do.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.	223	Do.
Utah.....	97	Memphis, Tenn.	97	do.	155-SC*	Jackson, Tenn.	155-SC*	Jackson, Tenn.	223	Do.
Vermont.....	97	Savannah, Ga.	97	Montgomery, Ala.	146	Rainelle, W. Va.	363	Conifer, N. Y.	363	Conifer, N. Y.
Virginia.....	97	do.	97	do.	146	Charleston, W. Va.	146	Charleston, W. Va.	146	Charleston, W. Va.
Washington.....	97	Jackson, Tenn.	97	Alexandria, La.	155-SC*	Jackson, Tenn.	155-SC*	Jackson, Tenn.	223	Wausau, Wis.
West Virginia.....	97	Savannah, Ga.	97	Montgomery, Ala.	146	Charleston, W. Va.	146	Charleston, W. Va.	146	Charleston, W. Va.
Wisconsin.....	97	Memphis, Tenn.	97	do.	223	Wausau, Wis.	223	Wausau, Wis.	223	Wausau, Wis.
Wyoming.....	97	do.	97	Alexandria, La.	155-SC*	Jackson, Tenn.	155-SC*	Jackson, Tenn.	223	Do.

Sales of surplus lumber located in—	Buckeye, butternut, cherry, and chestnut		Cedar, aromatic red		Cypress, yellow		Cottonwood	
	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point
Alabama.....	146	Charleston, W. Va.	454	Nashville, Tenn.	97	Mobile, Ala.	97	Montgomery, Ala.
Arizona.....	146	Rainelle, W. Va.	454	do.	97	Memphis, Tenn.	97	Alexandria, La.
Arkansas.....	146	do.	454	do.	97	do.	97	Do.
California.....	146	do.	454	do.	97	do.	97	Do.
Colorado.....	146	do.	454	do.	97	do.	97	Do.
Connecticut.....	146	do.	454	do.	97	Columbia, S. C.	97	Montgomery, Ala.
Delaware.....	146	do.	454	do.	97	do.	97	Do.
District of Columbia.....	146	do.	454	do.	97	do.	97	Do.
Florida.....	146	Charleston, W. Va.	454	do.	97	Macon, Ga.	97	Do.
Georgia.....	146	do.	454	do.	97	do.	97	Do.
Idaho.....	146	Rainelle, W. Va.	454	do.	97	Memphis, Tenn.	97	Alexandria, La.
Illinois.....	146	do.	454	do.	97	do.	97	Montgomery, Ala.
Indiana.....	146	do.	454	do.	97	do.	97	Do.
Iowa.....	146	do.	454	do.	97	do.	97	Alexandria, La.
Kansas.....	146	do.	454	do.	97	do.	97	Do.
Kentucky.....	146	do.	454	do.	97	do.	155-SC*	Jackson, Tenn.
Louisiana.....	146	do.	454	do.	97	Alexandria, La.	97	Alexandria, La.
Maine.....	146	do.	454	do.	97	Columbia, S. C.	97	Montgomery, Ala.
Maryland.....	146	do.	454	do.	97	do.	97	Do.
Massachusetts.....	146	do.	454	do.	97	do.	97	Do.
Michigan.....	146	do.	454	do.	97	Memphis, Tenn.	97	Do.
Minnesota.....	146	do.	454	do.	97	do.	97	Alexandria, La.
Mississippi.....	146	do.	454	do.	97	Mobile, Ala.	97	Montgomery, Ala.
Missouri.....	146	do.	454	do.	97	Memphis, Tenn.	97	Jackson, Miss.
Montana.....	146	do.	454	do.	97	do.	97	Alexandria, La.
Nebraska.....	146	do.	454	do.	97	do.	97	Do.
Nevada.....	146	do.	454	do.	97	do.	97	Do.
New Hampshire.....	146	do.	454	do.	97	Columbia, S. C.	97	Montgomery, Ala.
New Jersey.....	146	do.	454	do.	97	do.	97	Do.
New Mexico.....	146	do.	454	do.	97	Memphis, Tenn.	97	Alexandria, La.
New York.....	146	do.	454	do.	97	Columbia, S. C.	97	Montgomery, Ala.
North Carolina.....	146	Charleston, W. Va.	454	do.	97	do.	97	Do.
North Dakota.....	146	Rainelle, W. Va.	454	do.	97	Memphis, Tenn.	97	Alexandria, La.
Ohio.....	146	do.	454	do.	97	do.	97	Montgomery, Ala.
Oklahoma.....	146	do.	454	do.	97	do.	97	Alexandria, La.
Oregon.....	146	do.	454	do.	97	do.	97	Do.
Pennsylvania.....	146	do.	454	do.	97	Columbia, S. C.	97	Montgomery, Ala.
Rhode Island.....	146	do.	454	do.	97	do.	97	Do.
South Carolina.....	146	Charleston, W. Va.	454	do.	97	do.	97	Do.
South Dakota.....	146	Rainelle, W. Va.	454	do.	97	Memphis, Tenn.	97	Alexandria, La.
Tennessee.....	146	do.	454	do.	97	do.	97	Nashville, Tenn.
Texas.....	146	do.	454	do.	97	Alexandria, La.	97	Alexandria, La.
Utah.....	146	do.	454	do.	97	Memphis, Tenn.	97	Do.
Vermont.....	146	do.	454	do.	97	Columbia, S. C.	97	Montgomery, Ala.
Virginia.....	146	Charleston, W. Va.	454	do.	97	do.	97	Do.
Washington.....	146	Rainelle, W. Va.	454	do.	97	Memphis, Tenn.	97	Alexandria, La.
West Virginia.....	146	Charleston, W. Va.	454	do.	97	Columbia, S. C.	97	Montgomery, Ala.
Wisconsin.....	146	Rainelle, W. Va.	454	do.	97	Memphis, Tenn.	97	Do.
Wyoming.....	146	do.	454	do.	97	do.	97	Alexandria, La.

Sales of surplus lumber located in—	Rock elm and brown ash		Soft elm		Black gum		Red gum		Sap gum	
	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point
Alabama.....	223	Wausau, Wis.	97	Montgomery, Ala.	97	Montgomery, Ala.	97	Montgomery, Ala.	97	Montgomery, Ala.
Arizona.....	223	do.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.
Arkansas.....	223	do.	97	do.	97	do.	97	do.	97	Do.
California.....	223	do.	223	Wausau, Wis.	97	do.	97	do.	97	Do.
Colorado.....	223	do.	223	do.	97	do.	97	do.	97	Do.
Connecticut.....	223	do.	363	Conifer, N. Y.	97	do.	97	do.	97	Do.
Delaware.....	223	do.	363	do.	97	Montgomery, Ala.	97	Montgomery, Ala.	97	Montgomery, Ala.
Dist. of Columbia.....	223	do.	268	do.	97	do.	97	do.	97	Do.

See footnotes at end of table.

## APPENDIX B, PART 1: MAXIMUM PRICE REGULATIONS AND BASING POINTS TO BE USED IN DETERMINING F. O. B. MILL PRICES AND INCURRED FREIGHT CHARGES FOR SURPLUS SALES OF HARDWOOD LUMBER—Continued

Sales of surplus lumber located in—	Rock elm and brown ash		Soft elm		Black gum		Red gum		Sap gum*	
	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point
Florida	223	do	97	Montgomery, Ala.	97	do	97	do	97	Do.
Georgia	223	do	97	do	97	do	97	do	97	Do.
Idaho	223	do	223	Wausau, Wis.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.
Illinois	223	do	223	do	97	Montgomery, Ala.	97	New Orleans, La.	97	New Orleans, La.
Indiana	223	do	97	Memphis, Tenn.	97	do	97	Montgomery, Ala.	97	Hattiesburg, Miss.
Iowa	223	do	223	Wausau, Wis.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.
Kansas	223	do	223	do	97	do	97	do	97	Do.
Kentucky	223	do	155-SC*	Jackson, Tenn.	155-SC*	Evansville, Ind.	155-SC*	Jackson, Tenn.	155-SC*	Jackson, Tenn.
Louisiana	223	do	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.	97	Ponchatoula, La.
Maine	223	do	363	Conifer, N. Y.	97	Montgomery, Ala.	97	Montgomery, Ala.	97	Montgomery, Ala.
Maryland	223	do	363	do	97	do	97	Sumter, S. C.	97	Do.
Massachusetts	223	do	363	do	97	do	97	Montgomery, Ala.	97	Do.
Michigan	223	do	223	Wausau, Wis.	97	do	97	do	97	Do.
Minnesota	223	do	223	do	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.
Mississippi	223	do	97	Montgomery, Ala.	97	Montgomery, Ala.	97	Montgomery, Ala.	97	Montgomery, Ala.
Missouri	223	do	97	Jackson, Miss.	97	do	97	Jackson, Miss.	97	Jackson, Miss.
Montana	223	do	223	Wausau, Wis.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.
Nebraska	223	do	223	do	97	do	97	do	97	Do.
Nevada	223	do	223	do	97	do	97	do	97	Do.
New Hampshire	223	do	363	Conifer, N. Y.	97	Montgomery, Ala.	97	Montgomery, Ala.	97	Montgomery, Ala.
New Jersey	223	do	97	do	97	do	97	do	97	Do.
New Mexico	223	do	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.
New York	223	do	363	Conifer, N. Y.	97	Montgomery, Ala.	97	Montgomery, Ala.	97	Montgomery, Ala.
North Carolina	223	do	97	Montgomery, Ala.	97	do	97	do	97	Do.
North Dakota	223	do	223	Wausau, Wis.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.
Ohio	223	do	223	do	97	Montgomery, Ala.	97	Montgomery, Ala.	97	Montgomery, Ala.
Oklahoma	223	do	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.
Oregon	223	do	223	Wausau, Wis.	97	do	97	do	97	Do.
Pennsylvania	223	do	363	Conifer, N. Y.	97	Montgomery, Ala.	97	Sumter, S. C.	97	Montgomery, Ala.
Rhode Island	223	do	363	do	97	do	97	Montgomery, Ala.	97	Do.
South Carolina	223	do	97	Montgomery, Ala.	97	do	97	do	97	Do.
South Dakota	223	do	223	Wausau, Wis.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.
Tennessee	223	Wausau, Wis.	155-SC*	Montgomery, Ala.	155-SC*	Montgomery, Ala.	155-SC*	Montgomery, Ala.	97	Nashville, Tenn.
Texas	223	do	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.
Utah	223	do	223	Wausau, Wis.	97	Montgomery, Ala.	97	do	97	Do.
Vermont	223	do	363	Conifer, N. Y.	97	do	97	Montgomery, Ala.	97	Montgomery, Ala.
Virginia	223	do	97	Montgomery, Ala.	97	do	97	do	97	Do.
Washington	223	do	223	Wausau, Wis.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.
West Virginia	223	do	155-SC*	Jackson, Tenn.	97	Montgomery, Ala.	97	Montgomery, Ala.	97	Montgomery, Ala.
Wisconsin	223	do	223	Wausau, Wis.	97	do	97	do	97	Alexandria, La.
Wyoming	223	do	223	do	97	Alexandria, La.	97	Alexandria, La.	97	Do.

  

Sales of surplus lumber located in—	Hackberry		Hickory		Magnolia, sweet Pecan and Tupelo		Soft maple		Hard maple	
	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point
Alabama	97	Montgomery, Ala.	97	Montgomery, Ala.	97	Montgomery, Ala.	97	Montgomery, Ala.	146	Charleston, W. Va.
Arizona	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.	155-SC*	Jackson, Tenn.	223	Wausau, Wis.
Arkansas	97	do	97	do	97	do	97	Alexandria, La.	223	Do.
California	97	do	146	Jackson, Tenn.	97	do	155-SC*	Jackson, Tenn.	223	Do.
Colorado	97	do	146	Rainelle, W. Va.	97	do	155-SC*	do	223	Do.
Connecticut	97	Montgomery, Ala.	146	do	97	Montgomery, Ala.	363	Conifer, N. Y.	363	Conifer, N. Y.
Delaware	97	do	146	do	97	do	146	Rainelle, W. Va.	146	Rainelle, W. Va.
Dist. of Col.	97	do	146	do	97	do	146	do	146	Do.
Florida	97	do	97	Montgomery, Ala.	97	do	97	Montgomery, Ala.	146	Charleston, W. Va.
Georgia	97	do	97	do	97	do	97	do	146	Do.
Idaho	97	Alexandria, La.	146	Rainelle, W. Va.	97	Alexandria, La.	155-SC*	Jackson, Tenn.	223	Wausau, Wis.
Illinois	97	Montgomery, Ala.	155-NC*	Evansville, Ind.	97	Montgomery, Ala.	146	Louisville, Ky.	223	Do.
Indiana	97	do	155-NC*	do	97	do	146	do	223	Do.
Iowa	97	Alexandria, La.	146	Rainelle, W. Va.	97	Alexandria, La.	223	Wausau, Wis.	223	Do.
Kansas	97	do	146	Montgomery, Ala.	97	do	155-SC*	do	223	Nashville, Tenn.
Kentucky	155-SC*	Jackson, Tenn.	146	Rainelle, W. Va.	97	Montgomery, Ala.	155-NC*	Nashville, Tenn.	223	Wausau, Wis.
Louisiana	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.	223	Conifer, N. Y.
Maine	97	Montgomery, Ala.	363	Conifer, N. Y.	97	Montgomery, Ala.	363	Rainelle, W. Va.	146	Greensboro, N. C.
Maryland	97	do	146	Rainelle, W. Va.	97	do	363	Conifer, N. Y.	363	Conifer, N. Y.
Massachusetts	97	do	363	Conifer, N. Y.	97	do	155-SC*	Iron Mt., Mich.	223	Iron Mountain, Mich.
Michigan	155-NC*	Louisville, Ky.	146	Rainelle, W. Va.	97	Alexandria, La.	223	Wausau, Wis.	223	Wausau, Wis.
Minnesota	155-NC*	do	146	Montgomery, Ala.	97	do	97	Montgomery, Ala.	223	Do.
Mississippi	97	Montgomery, Ala.	97	do	97	do	97	Jackson, Miss.	223	Do.
Missouri	97	do	97	do	97	do	155-SC*	Jackson, Tenn.	223	Do.
Montana	97	Alexandria, La.	146	Rainelle, W. Va.	97	Alexandria, La.	155-SC*	Jackson, Tenn.	223	Wausau, Wis.
Nebraska	155-SC*	Jackson, Tenn.	97	Montgomery, Ala.	97	do	155-SC*	Conifer, N. Y.	363	Conifer, N. Y.
Nevada	97	Alexandria, La.	146	Rainelle, W. Va.	97	do	146	Rainelle, W. Va.	223	Wausau, Wis.
New Hampshire	97	Montgomery, Ala.	363	Conifer, N. Y.	97	Montgomery, Ala.	155-SC*	Jackson, Tenn.	223	Do.
New Jersey	97	do	146	Rainelle, W. Va.	97	do	146	Rainelle, W. Va.	223	Wausau, Wis.
New Mexico	97	do	146	do	97	Alexandria, La.	155-SC*	Jackson, Tenn.	223	Do.
New York	97	Montgomery, Ala.	146	do	97	Montgomery, Ala.	146	Rainelle, W. Va.	146	Louisville, Ky.
North Carolina	97	do	97	Montgomery, Ala.	97	Alexandria, La.	97	Montgomery, Ala.	146	Charleston, W. Va.
North Dakota	97	Alexandria, La.	146	Rainelle, W. Va.	97	Alexandria, La.	155-NC*	Charleston, W. Va.	155-NC*	Charleston, W. Va.
Ohio	155-NC*	Louisville, Ky.	146	do	97	do	97	Alexandria, La.	223	Wausau, Wis.
Oklahoma	97	Alexandria, La.	146	Alexandria, La.	97	do	155-SC*	Jackson, Tenn.	223	Do.
Oregon	97	do	146	do	97	Montgomery, Ala.	146	Rainelle, W. Va.	146	Rainelle, W. Va.
Pennsylvania	97	Montgomery, Ala.	363	Conifer, N. Y.	97	do	363	Conifer, N. Y.	363	Conifer, N. Y.
Rhode Island	97	do	363	Montgomery, Ala.	97	do	97	Montgomery, Ala.	146	Charleston, W. Va.
South Carolina	97	do	146	Rainelle, W. Va.	97	Alexandria, La.	223	Wausau, Wis.	223	Wausau, Wis.
South Dakota	97	Alexandria, La.	146	New Orleans, La.	97	Montgomery, Ala.	97	Nashville, Tenn.	155-SC*	Montgomery, Ala.
Tennessee	155-SC*	Montgomery, Ala.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.	223	Wausau, Wis.
Texas	97	Alexandria, La.	146	Rainelle, W. Va.	97	do	155-SC*	Jackson, Tenn.	223	Do.
Utah	97	do	363	Conifer, N. Y.	97	Montgomery, Ala.	146	Rainelle, W. Va.	146	Charleston, W. Va.
Vermont	97	Montgomery, Ala.	363	do	97	do	146	Rainelle, W. Va.	223	Wausau, Wis.
Virginia	97	do	146	Charleston, W. Va.	97	Alexandria, La.	155-SC*	Jackson, Tenn.	223	Conifer, N. Y.
Washington	97	Alexandria, La.	146	do	97	do	146	Charleston, W. Va.	146	Charleston, W. Va.
West Virginia	97	Montgomery, Ala.	146	do	97	Montgomery, Ala.	146	Charleston, W. Va.	146	Charleston, W. Va.
Wisconsin	155-NC*	Louisville, Ky.	146	do	97	do	223	Wausau, Wis.	223	Wausau, Wis.
Wyoming	97	Alexandria, La.	146	do	97	Alexandria, La.	155-SC*	Jackson, Tenn.	223	Do.

See footnotes at end of table.

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## APPENDIX B, PART 1: MAXIMUM PRICE REGULATIONS AND BASING POINTS TO BE USED IN DETERMINING F. O. B. MILL PRICES AND INBOUND FREIGHT CHARGES FOR SURPLUS SALES OF HARDWOOD LUMBER—Continued

Sales of surplus lumber located in—	Red & white oak & mixed hardwood No. 1 and No. 2 dimension		Yellow poplar		Sycamore		Willow		Walnut	
	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point	MPR	Basing point
Alabama.....	97	Montgomery, Ala.	97	Montgomery, Ala.	97	Montgomery, Ala.	97	Montgomery, Ala.	217	Louisville, Ky.
Arizona.....	155-SC*	Jackson, Tenn.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.	217	Do.
Arkansas.....	97	Alexandria, La.	97	do.	97	do.	97	do.	217	Do.
California.....	97	Montgomery, Ala.	97	Montgomery, Ala.	97	do.	97	do.	217	Do.
Colorado.....	97	Jackson, Tenn.	97	Alexandria, La.	97	do.	97	do.	217	Do.
Connecticut.....	146	Rainelle, W. Va.	146	Rainelle, W. Va.	97	Montgomery, Ala.	97	Montgomery, Ala.	217	Do.
Delaware.....	146	do.	146	do.	97	do.	97	do.	217	Do.
Dist. of Columbia.....	146	do.	146	do.	97	do.	97	do.	217	Do.
Florida.....	146	Louisville, Ky.	97	Montgomery, Ala.	97	do.	97	do.	217	Do.
Georgia.....	146	Charleston, W. Va.	97	do.	97	do.	97	do.	217	Do.
Idaho.....	155-SC*	Jackson, Tenn.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.	217	Do.
Illinois.....	155-SC*	New Orleans, La.	97	New Orleans, La.	97	Montgomery, Ala.	97	Montgomery, Ala.	217	Do.
Indiana.....	97	Hattiesburg, Miss.	146	Louisville, Ky.	97	do.	97	do.	217	Do.
Iowa.....	97	Montgomery, Ala.	146	Evansville, Ind.	97	Alexandria, La.	97	Alexandria, La.	217	Do.
Kansas.....	97	New Orleans, La.	97	Alexandria, La.	97	do.	97	do.	217	Do.
Kentucky.....	155-SC*	Evansville, Ind.	155-NC*	Evansville, Ind.	97	Montgomery, Ala.	97	Montgomery, Ala.	217	Do.
Louisiana.....	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.	217	Do.
Maine.....	146	Rainelle, W. Va.	146	Rainelle, W. Va.	97	Montgomery, Ala.	97	Montgomery, Ala.	217	Do.
Maryland.....	146	Greensboro, N. C.	146	do.	97	do.	97	do.	217	Do.
Massachusetts.....	146	Rainelle, W. Va.	146	Louisville, Ky.	97	do.	97	do.	217	Do.
Michigan.....	146	do.	146	Rainelle, W. Va.	97	do.	97	do.	217	Do.
Minnesota.....	155-SC*	Jackson, Tenn.	146	Evansville, Ind.	97	Alexandria, La.	97	Alexandria, La.	217	Do.
Mississippi.....	97	Montgomery, Ala.	97	Montgomery, Ala.	97	Montgomery, Ala.	97	Montgomery, Ala.	217	Do.
Missouri.....	97	New Orleans, La.	97	New Orleans, La.	97	New Orleans, La.	97	New Orleans, La.	217	Do.
Montana.....	155-SC*	Jackson, Tenn.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.	217	Do.
Nebraska.....	97	Montgomery, Ala.	97	Louisville, Ky.	97	do.	97	do.	217	Do.
Nevada.....	155-SC*	Jackson, Tenn.	97	Alexandria, La.	97	do.	97	do.	217	Do.
New Hampshire.....	146	Rainelle, W. Va.	146	Rainelle, W. Va.	97	Montgomery, Ala.	97	Montgomery, Ala.	217	Do.
New Jersey.....	146	do.	146	do.	97	do.	97	do.	217	Do.
New Mexico.....	155-SC*	Jackson, Tenn.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.	217	Do.
New York.....	146	Louisville, Ky.	146	Louisville, Ky.	97	Montgomery, Ala.	97	Montgomery, Ala.	217	Do.
North Carolina.....	146	Charleston, W. Va.	97	Montgomery, Ala.	97	do.	97	do.	217	Do.
North Dakota.....	146	Evansville, Ind.	146	Evansville, Ind.	97	Alexandria, La.	97	Alexandria, La.	217	Do.
Ohio.....	155-NC*	Evansville, W. Va.	146	Rainelle, W. Va.	97	Montgomery, Ala.	97	Montgomery, Ala.	217	Do.
Oklahoma.....	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.	217	Do.
Oregon.....	155-SC*	Jackson, Tenn.	97	do.	97	do.	97	do.	217	Do.
Pennsylvania.....	146	Rainelle, W. Va.	146	Rainelle, W. Va.	97	Montgomery, Ala.	97	Montgomery, Ala.	217	Do.
Rhode Island.....	146	do.	146	do.	97	do.	97	do.	217	Do.
South Carolina.....	146	Charleston, W. Va.	97	Montgomery, Ala.	97	Montgomery, Ala.	97	Montgomery, Ala.	217	Do.
South Dakota.....	146	Evansville, Ind.	146	Evansville, Ind.	97	Alexandria, La.	97	Alexandria, La.	217	Do.
Tennessee.....	97	Alexandria, La.	155-SC*	Montgomery, Ala.	97	Montgomery, Ala.	97	Montgomery, Ala.	217	Do.
Texas.....	97	do.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.	217	Do.
Utah.....	155-SC*	Jackson, Tenn.	97	do.	97	do.	97	do.	217	Do.
Vermont.....	146	Rainelle, W. Va.	146	Rainelle, W. Va.	97	Montgomery, Ala.	97	Montgomery, Ala.	217	Do.
Virginia.....	146	Charleston, W. Va.	146	Charleston, W. Va.	97	do.	97	do.	217	Do.
Washington.....	146	Jackson, Tenn.	146	Jackson, Tenn.	97	Alexandria, La.	97	Alexandria, La.	217	Do.
West Virginia.....	146	Charleston, W. Va.	146	Charleston, W. Va.	97	Montgomery, Ala.	97	Montgomery, Ala.	217	Do.
Wisconsin.....	146	Louisville, Ky.	146	Louisville, Ky.	97	do.	97	do.	217	Do.
Wyoming.....	155-SC*	Jackson, Tenn.	97	Alexandria, La.	97	Alexandria, La.	97	Alexandria, La.	217	Do.

\* The location means the place where the lumber was situated at the time of sale by the person in whose hands it became surplus lumber. This is the "present" location regardless of whether the lumber may have been moved after a surplus sale to another reseller.

\* The additions to the f. o. b. mill prices, permitted "Tough Ash Specialty Establishments," in RMPR No. 97, may be included when applying the f. o. b. mill price for this species.

\* The following counties must use MPR 155-SC and Jackson, Tenn., basing point in computing their selling prices: Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, Ventura. All other counties use MPR 146 and Jackson, Tenn.

NC\*: Use prices provided for North Central Area.

SC\*: Use prices provided for South Central Area.

## APPENDIX B, PART 2: ESTIMATED WEIGHTS OF HARDWOOD LUMBER TO BE USED IN COMPUTING TRANSPORTATION CHARGES

(Pounds per 1000 feet board measure)

Ash:	
Brown.....	4,000
Soft.....	4,100
Tough.....	4,400
Basswood.....	2,900
Beech.....	4,900
Birch.....	4,900
Buckeye.....	3,300
Butternut.....	3,400
Cedar, aromatic red.....	3,300
Cherry.....	4,500
Chestnut.....	3,900
Cottonwood.....	3,700
Cypress, yellow.....	4,000
Elm:	
Rock.....	4,700
Soft.....	4,200
Gum:	
Black.....	4,300
Red.....	4,500
Sap.....	4,300
Hackberry.....	4,000
Hickory.....	5,300
Magnolia.....	4,000
Maple:	
Hard.....	4,900
Soft.....	4,400
Mixed hardwood, No. 1 and 2 dimension.....	4,800

## APPENDIX B, PART 2: ESTIMATED WEIGHTS OF HARDWOOD LUMBER TO BE USED IN COMPUTING TRANSPORTATION CHARGES—Continued

(Pounds per 1000 feet board measure)

Oak:	
Red.....	5,100
White.....	5,200
Pecan, sweet.....	5,100
Poplar, yellow.....	3,500
Sycamore.....	4,100
Tupelo.....	4,300
Walnut.....	4,400
Willow.....	3,500

[F. R. Doc. 45-21438; Filed, Nov. 28, 1945; 11:44 a. m.]

## PART 1358—TOBACCO

[RMPR 500]

## BURLEY TOBACCO (TYPE NO: 31) OF THE 1943 AND SUBSEQUENT CROPS

Maximum Price Regulation No. 500, is redesignated Revised Maximum Price Regulation No. 500, and is revised and amended to read as follows:

A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.

## Sec.

1. Explanation of regulation.
2. General definitions.
3. Maximum prices for Burley tobacco of the 1943 and subsequent crops.
4. Compliance with regulation.
5. Licensing.
6. Records and reports.
7. Adjustable pricing.
8. Geographical applicability.
9. Export sales.
10. Petitions for amendment.

AUTHORITY: § 1358.256 issued under 56 Stat. 23, 765; 57 Stat. 563; Pub. Law 383, 78 Cong.; Pub. Law 108, 79 Cong. E. O. 9250, 7 F. R. 7871; E. O. 9328, 8 F. R. 4681, E. O. 9599, 10 F. R. 10155.

SECTION 1. *Explanation of regulation.* The purpose of this regulation is to establish maximum prices for sales and purchases of, and for certain services performed with respect to Burley tobacco of the 1943 and subsequent crops. Specific dollars-and-cents maximum prices are fixed for sales, resales, and purchases of specified grades of the tobacco on the warehouse floor, for sales by and purchases from dealers and for services performed by dealers for purchasers of the tobacco. The maximum prices for the various grades of the tobacco are set forth in paragraph (b) of



section 3 of the regulation, and the maximum prices which dealers may charge for their services are set forth in paragraph (d) of that section.

The maximum prices established are not applicable to sales or purchases of, or to services performed with respect to any crop prior to 1943. Maximum prices for the 1942 crop of this tobacco are established by Maximum Price Regulation 283, as amended.

SEC. 2. *General Definitions.* (a) When used in this regulation, the term:

(1) "Burley tobacco" means U. S. Type 31, as specified in Regulatory Announcement No. 118 of the Bureau of Agricultural Economics, United States Department of Agriculture.

(2) "Person" includes an individual, corporation, partnership, association or any other organized group of persons or a legal successor or representative of any of the foregoing, and includes the United States Government or any agency thereof or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(3) "Dealer" means any person who purchases any grade of Burley tobacco of the 1943 and subsequent crops and resells such tobacco without further processing other than those services set forth in paragraph (d) (2) of Section 3.

(4) "Grade" means a sub-division of the type of tobacco according to group and quality, and according to color when color is of sufficient importance to be treated as a separate factor.

(5) "Drop leaves" refers to Burley tobacco leaves, including broken leaves and scraps, resulting from the handling of tied tobacco in receiving rooms, hanging rooms, packing rooms, green storage, or elsewhere and which are hand-stemmed, hand picked, sand screened, redried and packed by the dealer separately from tied Burley tobacco.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

SEC. 3. *Maximum prices for Burley tobacco of the 1943 and subsequent crops.*—(a) *What warehousemen must do.* Every warehouseman or his representative, before any sale of Burley tobacco, shall (1) designate on the basket tag of such tobacco the maximum price specified in paragraph (b) of this section for the grade shown on such tag and (2) announce immediately preceding the sale of such basket and in the presence of the assembled buyers, the grade and maximum price for the tobacco to be sold. Every warehouseman or his representative, before any resale of Burley tobacco previously Government graded and sold on a warehouse floor or otherwise, shall announce immediately before the resale in the presence of the assembled buyers the maximum price for its first sale.

(b) *Maximum prices for sales on a warehouse floor.* The maximum price on the warehouse floor for each listed grade of the 1943 and subsequent crops of Burley tobacco shall be as follows:

Group and grade:	Maximum price per cwt. on warehouse floor (dollars)
Leaf:	
A1L.....	62
A2L.....	60
A1F.....	60
A2F.....	53
A1R.....	57
A2R.....	52
B1F.....	57
B2F.....	55
B3F.....	53
B3FM.....	49
B4F2.....	48
B4FM.....	43
B5F.....	37
B5FM.....	34
B1FR.....	53
B2FR.....	48
B3FR.....	46
B4FR.....	40
B5FR.....	33
B1R.....	48
B2R.....	48
B3R.....	40
B4R.....	33
B5R.....	26
B3D.....	31
B4D.....	25
B5D.....	20
B3GF.....	35
B4GF.....	28
B5GF.....	22
B3GR.....	31
B4GR.....	24
B5GR.....	18
Lugs:	
C1L.....	60
C2L.....	53
C3L.....	57
C4L.....	58
C5L.....	51
C1F.....	53
C2F.....	58
C3F.....	57
C3FM.....	54
C4F.....	55
C4FM.....	52
C5F.....	49
C5FM.....	46
C3R.....	55
C4R.....	49
C5R.....	42
C3G.....	40
C4G.....	35
C5G.....	28
Flyings:	
X1L.....	57
X2L.....	57
X3L.....	56
X4L.....	52
X5L.....	43
X1F.....	53
X2F.....	57
X3F.....	56
X3FM.....	53
X4F.....	51
X4FM.....	48
X5F.....	42
X5FM.....	39
X3R.....	53
X4R.....	47
X5R.....	37
X3G.....	42
X4G.....	35
X5G.....	26
Tips:	
T3F.....	41
T4F.....	33
T5F.....	25
T3R.....	23
T4R.....	23
T5R.....	18
T3D.....	23
T4D.....	18
T5D.....	15
T3G.....	20
T4G.....	18
T5G.....	15

Group and grade:	Maximum price per cwt. on warehouse floor (dollars)
Nondescript:	
N1L.....	26
N2L.....	21
N1R.....	13
N1F.....	13
N2R.....	9
N2G.....	9

(c) *Maximum prices for resales on a warehouse floor or otherwise.* For a basket of Government graded Burley tobacco purchased on a warehouse floor or otherwise, the maximum price for the resale of that tobacco on any warehouse floor or otherwise shall be the maximum price which applied or would have applied to its first sale on a warehouse floor. Government graded Burley tobacco purchased on a warehouse floor or otherwise must be resold under the name of its purchaser and may not be resold on any warehouse floor or otherwise if it has been mixed with other tobacco or if it has been divided into smaller baskets. The owner of tobacco which has been Government graded and which is to be resold on a warehouse floor shall inform the warehouseman in writing before the resale the maximum price of the tobacco at its first sale. Government graded Burley tobacco, which has been put up for sale on a warehouse floor, but on which a sale was not consummated on the warehouse floor or otherwise, is not subject to this paragraph.

(d) *Maximum prices of dealers.*—(1) *Dealer's warehousing charges.* Any dealer who warehouses Burley tobacco after it is packed may make a charge for such warehousing based on the maximum price for the particular grade as set forth in paragraph (b) of this section, but not in excess of one percent of such maximum price per month of warehousing.

(2) *Dealer's charges for direct order purchases.* (i) A dealer who purchases Burley tobacco on direct order may charge for services rendered in connection with the tobacco purchased, but not in excess of the following amounts:

	Maximum charge per 100 pounds (green weight)
<i>Services</i>	
Buying at auction market.....	\$0.50
Buying and sheeting (where dealer furnishes sheets).....	.75
Buying and sheeting (where dealer does not furnish sheets).....	.50
Buying and green pricing.....	1.75
	Maximum charges per 100 pounds (finished weight)
Redrying only.....	\$2.35
Buying and redrying.....	2.85
Buying and stemming, other than scrap.....	7.00
Buying and hand-stemming scrap.....	10.00
Transportation charge paid to common carrier.....	actual cost <sup>1</sup>
Hand-stemming, hand-picking, sand- screening, redrying and packing drop leaves.....	\$9.00

<sup>1</sup> If a dealer uses own vehicle, actual cost, not to exceed common carrier rate.

<sup>2</sup> Plus actual cost of packing materials furnished by dealer.

"Purchase on direct order" means a purchase made in conformity with an agreement to buy for a principal either in the principal's name or for his account.

(ii) *Dealer's charge for supervisory services on direct order purchase.* A dealer performing supervisory services in the purchase on direct order of Burley tobacco of the 1943 and subsequent crops for a particular buyer may charge a fee for such services, but not to exceed the highest customary fee charged by the dealer to the particular buyer for the same services performed with respect to purchases on direct order of the 1942 or 1941 year's crop, whichever is most recent. If the dealer performed no supervisory services for the buyer with respect to purchases on direct order of the 1942 or 1941 year's crop of that type of tobacco, the fee charged by the dealer for such supervisory services shall not exceed the highest customary fee charged therefor by the dealer with respect to purchases on direct order of the 1942 or 1941 year's crop, whichever is most recent, to other buyers of the same class. A dealer performed no supervisory services for the particular buyer or for other buyers of the same class with respect to purchases on direct order of the 1942 or 1941 year's crop, shall apply by letter to the Office of Price Administration, Tobacco Section, Washington, D. C., for authorization to charge a fee for such services based on the fee charged by his most closely competitive dealer of the same class.

"Supervisory services" means services involving responsibility for establishment of proper grade standards, correlation of grading between the several markets, selection of markets affording the greatest abundance of suitable Burley tobacco, decisions as to the rate of buying from week to week and guiding purchases through frequent visits to the several markets.

(3) *Dealer's maximum prices for tobacco purchases other than on direct order.* A dealer's maximum price for any Burley tobacco of the 1943 and subsequent crops purchased by him other than on direct order shall be an amount determined by adding the following items:

(i) If the tobacco is all of the same grade, the maximum price under paragraph (b) of this section for the quantity of the particular grade (green weight), or,

(ii) If the tobacco is of mixed grades, the weighted average of the maximum prices under paragraph (b) of this section for the particular quantity of each grade (green weight); plus

(iii) The exact amount, if any, paid by the dealer to an independent carrier for transporting the tobacco from its location at the date of purchase to the dealer's prizery or rehandling plant; plus

(iv) A charge for any service listed in sub-paragraph (d) (2) (i) of this section rendered to the dealer by the buyer, but not in excess of the maximum charge under that paragraph for the particular service; plus

(v) Seven percent of the total of items (i) or (ii) and (iii) and (iv) of this sub-paragraph (3), or 2½ cents per pound finished weight; plus

(vi) The actual amount of commission paid by the dealer to a tobacco broker doing business as such during and since

March 1942, for the broker's services in negotiating the sale of the tobacco to a manufacturer, but not in excess of three percent of the total of the preceding items of this sub-paragraph; plus

(vii) The charge for warehousing, if any, permitted under sub-paragraph (d) (1) of this section.

However, no dealer who purchases any such tobacco from another dealer shall, in computing his own maximum price therefor, increase the price charged by the dealer from whom he purchased, except to the extent of the charges permitted by this regulation for additional services rendered.

"Weighted average of the maximum prices" means the figures obtained by:

Multiplying the total number of pounds of each grade purchased in each transaction by the maximum price for such grade set forth in paragraph (b) of section 3:

Adding the resulting figures thus obtained; and

Dividing the sum thus obtained by the total number of pounds of all grades purchased in the particular transaction.

(4) *Certification by dealers.* Any dealer selling Burley tobacco of the 1943 and subsequent crops, on and after December 3, 1945, whether purchased by him on direct order or otherwise, shall place upon the invoice or other evidence of sale of the tobacco, given by him to the purchaser, a complete, correct and signed statement as follows:

The green weight of the Burley tobacco covered by this invoice (if other evidence of sale is used, specify) was \_\_\_\_\_ pounds. The price charged for this tobacco does not exceed our maximum price therefor permitted under Revised Maximum Price Regulation No. 500 issued by the Office of Price Administration. The Office of Price Administration requires you to keep this statement for examination.

(Signed) \_\_\_\_\_  
Seller

Only one such statement need be given by a dealer for any particular sale of Burley tobacco.

#### SEC. 4. Compliance with regulation—

(a) *No buying or selling above maximum prices.* On and after December 3, 1945, regardless of any contract, agreement or other obligation,

(1) No warehouseman or his representative shall sell or deliver, and no person in the course of trade or business shall buy or receive any grade of Burley tobacco of the 1943 and subsequent crops, for which maximum prices are established by this regulation, at a price in excess of the maximum price therein fixed for the sale and purchase on the warehouse floor of the particular grade of tobacco involved, except that,

(i) With respect to sales other than on the warehouse floor of such tobacco purchased by a dealer on direct order, the dealer shall not sell or deliver, and no person in the course of trade or business shall buy or receive, any Burley tobacco of the 1943 and subsequent crops at a price in excess of the maximum price for the particular grade as listed in paragraph (b) of section 3, plus any charges for warehousing or services rendered by the dealer to the buyer, determined in

accordance with sub-paragraphs (d) (1) and (2); and

(ii) With respect to sales of such tobacco purchased by a dealer other than on direct order, the dealer shall not sell or deliver, and no person in the course of trade or business shall buy or receive, any Burley tobacco of the 1943 and subsequent crops at a price in excess of the maximum price therefor determined under sub-paragraph (d) (3) of section 3.

(2) No person shall agree, offer, solicit or attempt to do any of the foregoing.

However, lower prices than those established by this regulation may be charged, demanded, paid or offered.

(b) *Evasion.* (1) The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to any grade of Burley tobacco of the 1943 and subsequent crops, for which maximum prices are established by this regulation, alone or in conjunction with any other commodity or by way of commission, service, transportation or other charge or discount, premium or other privilege, or by tying agreement or other trade understanding or otherwise.

(2) Specifically, but not exclusively, the following practices in the marketing of any grade of Burley tobacco of the 1943 and subsequent crops, for which maximum prices are established by this regulation, are prohibited.

(i) Any sale or purchase of such tobacco which has not been graded pursuant to the Federal Tobacco Inspection Act, approved August 23, 1935: except that sales and purchases of such tobacco may be made if the tobacco sold and purchased is subsequently graded and resold on a warehouse floor at or below the grade ceilings established by this regulation.

(ii) In the case of a dealer, making any charge for warehousing or for services rendered in the purchase of such tobacco on direct order or otherwise where in fact there has been no warehousing or services rendered.

(iii) In the case of a dealer, making any charge for warehousing or for services rendered in the purchase of such tobacco on direct order in excess of the maximum charges therefor as set forth in sub-paragraphs (d) (1) and (2) of section 3.

(iv) In the case of a dealer, selling or delivering such tobacco purchased by him other than on direct order at prices in excess of the maximum prices determined under sub-paragraph (d) (3) of section 3.

(v) In the case of a dealer, any sale or delivery of such tobacco purchased on direct order or otherwise, without concurrently delivering to the purchaser an invoice or other evidence of sale containing the statement required by sub-paragraph (d) (4) of section 3.

(c) *Enforcement.* Persons violating any of the provisions of this regulation are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

**SEC. 5. Licensing.** The provisions of Licensing Order No. 1<sup>1</sup> licensing persons who make sales under price control, apply to sellers subject to this regulation, but no such license is required of or granted to a farmer as a condition of selling an agricultural commodity produced by him. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

**SEC. 6. Records and reports.** (a) Every purchaser of Burley tobacco of the 1943 and subsequent crops subject to this regulation for which maximum prices are established by this regulation, shall make and preserve for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records setting forth with respect to each purchase of such tobacco (1) the name of the seller and date of purchase; (2) the total number of pounds of each grade; (3) the purchase price paid therefor; and (4) any other records of the same kind as he has customarily kept, relating to the prices which he paid for such tobacco after the effective date of this regulation.

(b) Every warehouseman subject to this regulation in whose warehouse Burley tobacco of the 1943 and subsequent crops is sold, shall keep and make available for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records setting forth with respect to each of such tobacco (1) the name of the purchaser and date of sale; (2) the total number of pounds of each grade; (3) the selling price received therefor; and (4) any other records of the same kind as he has customarily kept relating to the prices which he received for such tobacco after the effective date of this regulation.

**SEC. 7. Adjustable pricing.** Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

**SEC. 8. Geographical applicability.** The provisions of this regulation shall be applicable to the forty-eight states

of the United States and the District of Columbia.

**SEC. 9. Export sales.** The maximum price at which a person may export Burley tobacco of the 1943 and subsequent crops shall be determined in accordance with the provisions of the Second Revised Maximum Export Regulation,<sup>2</sup> issued by the Office of Price Administration.

**SEC. 10. Petitions for amendment.** Any person seeking a general modification of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,<sup>3</sup> issued by the Office of Price Administration.

**NOTE:** All record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This regulation shall become effective December 3, 1945.

Issued this 27th day of November 1945.

CHESTER BOWLES,  
Administrator.

Approved: November 16, 1945.

J. B. HUTSON,  
Acting Secretary of Agriculture.

[F. R. Doc. 45-21402; Filed, Nov. 27, 1945;  
4:27 p. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1,<sup>4</sup> Amdt. 27 to Supp. 7]

##### PACKED FRUITS, BERRIES AND VEGETABLES OF THE 1944 AND LATER CROPS

A statement of the considerations involved in the issuance of this amendment

TABLE 3—PERMITTED INCREASES AND PRICE RANGES PER DOZEN CONTAINERS FOR PROCESSORS OF PACKED SNAP BEANS WHO MADE SALES DURING THE BASE PERIOD

#### PART 1—WHOLE SNAP BEANS (BUSH BEANS IN AREAS 1 THROUGH 10, POLE BEANS IN AREA 11)

Item No.	Area	Size	No. 2 cans					
			Fancy		Extra standard		Standard	
			Permitted increase	Price ranges	Permitted increase	Price ranges	Permitted increase	Price ranges
65.....	11.....	(3 and up).....	\$0.33	\$1.22-\$1.63	\$0.27	\$1.22-\$1.61	\$0.25	\$1.20-\$1.54
66.....		(Ungraded).....	.33	1.22-1.63	.27	1.22-1.61	.25	1.20-1.54
65.....	11.....	(3 and up).....	\$1.89	\$3.02-\$3.23	\$1.81	\$3.02-\$3.49	\$1.76	\$2.83-\$3.57
66.....		(Ungraded).....	1.89	3.02-3.23	1.81	3.02-3.49	1.76	2.83-3.57

#### PART 2—CUT SNAP BEANS (BUSH BEANS IN AREAS 1 THROUGH 10, POLE BEANS IN AREA 11)

Item No.	Area	Size	No. 2 cans					
			Fancy		Extra standard		Standard	
			Permitted increase	Price ranges	Permitted increase	Price ranges	Permitted increase	Price ranges
54.....	11.....	(3 and up).....	\$0.33	\$1.27-\$1.57	\$0.32	\$1.16-\$1.44	\$0.31	\$1.17-\$1.27
55.....		(Ungraded).....	.33	1.27-1.57	.32	1.16-1.44	.31	1.17-1.27
54.....	11.....	(3 and up).....	\$1.62	\$3.22-\$3.69	\$1.57	\$3.03-\$3.66	\$1.52	\$3.73-\$3.82
55.....		(Ungraded).....	1.62	3.22-3.69	1.57	3.03-3.66	1.52	3.73-3.82

<sup>1</sup> F.R. 4132, 5987, 7662, 8936, 15193.

<sup>2</sup> 9 F.R. 10476, 13715.

<sup>3</sup> 10 F.R. 1750, 2188, 6453, 7023, 8291, 11247, 12847.

<sup>4</sup> 10 F.R. 11118, 11578, 11748, 12439, 13263, 13111, 13271.

<sup>5</sup> 8 F.R. 13240.

has been issued and filed with the Division of the Federal Register.

Table 7 of Appendix E to section 16 is amended by deleting the phrase "Area 1."

This amendment shall become effective November 28, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

Approved: November 21, 1945.

J. B. HUTSON,  
Acting Secretary of Agriculture.

[F. R. Doc. 45-21432; Filed, Nov. 23, 1945;  
11:45 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Amdt. 7 to Supp. 13<sup>5</sup>]

##### PACKED FRUITS, BERRIES AND VEGETABLES (1945 AND LATER CROPS)

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Supplement 13 to Food Products Regulation No. 1 is amended in the following respects:

1. In paragraph (g) (3) (i) and (ii) of the "Explanation of how maximum prices for packed snap beans are figured and special pricing provisions" in Appendix D to section 15, the figure "\$0.04" is amended to read "\$0.06" wherever it appears and the figure "\$0.20" is amended to read "\$0.29" wherever it appears.

2. In Table 3 of Appendix D to section 15, items 65 and 66 in Part 1 and items 54 and 55 in Part 2 are amended to read as follows:

3. In Table 4 of Appendix D to section 15, items 65 and 66 in Part 1 and items 54 and 55 in Part 2 are amended to read as follows:

TABLE 4—SPECIFIC DOLLARS-AND-CENTS MAXIMUM PRICES PER DOZEN CONTAINERS FOR PROCESSORS WHO WERE NOT IN BUSINESS DURING 1941 OR WHO MADE NO SALES OF PACKED SNAP BEANS DURING THE BASE PERIOD

PART 1—WHOLE SNAP BEANS (BUSH BEANS IN AREAS 1 THROUGH 10, POLE BEANS IN AREA 11)

Item No.	Area	Sieve size	No. 2 cans			No. 10 cans		
			Fancy	Ex-standard	Standard	Fancy	Ex-standard	Standard
65.....	11.....	{5 and up.....	\$1.52	\$1.37	\$1.27	\$7.45	\$6.71	\$6.22
66.....		{Ungraded.....	1.52	1.37	1.27	7.45	6.71	6.22

PART 2—CUT SNAP BEANS (BUSH BEANS IN AREAS 1 THROUGH 10, POLE BEANS IN AREA 11)

64.....	11.....	{5 and up.....	\$1.42	\$1.30	\$1.22	\$6.86	\$6.37	\$5.98
65.....		{Ungraded.....	1.42	1.30	1.22	6.86	6.37	5.98

4. In Table 8 of Appendix D to section 15, items 65 and 66 in Part 1 and items 54 and 55 in Part 2 are amended to read as follows:

TABLE 8—GRADE DIFFERENTIALS

PART 1—WHOLE SNAP BEANS—BUSH BEANS IN AREAS 1 THROUGH 10, POLE BEANS IN AREA 11

[Differences between successive grades per dozen containers]

Item No.	Area	Sieve size	No. 2 cans			No. 10 cans		
			Fancy and ex-standard	Ex-standard and standard	Standard and sub-standard	Fancy and ex-standard	Ex-standard and standard	Standard and sub-standard
65.....	11	{5 and up.....	\$0.15	\$0.10	\$0.10	\$0.74	\$0.49	\$0.49
66.....		{Ungraded.....	.15	.10	.10	.74	.49	.49

PART 2—CUT SNAP BEANS

64.....	11	{5 and up.....	\$0.12	\$0.08	\$0.10	\$0.69	\$0.39	\$0.49
65.....		{Ungraded.....	.12	.08	.10	.69	.39	.49

This amendment shall become effective November 28, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

Approved: November 21, 1945.

J. B. HUTSON,  
Acting Secretary of Agriculture.

[F. R. Doc. 45-21433; Filed, Nov. 28, 1945;  
11:45 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Supp. 16]

CERTAIN APPLE PRODUCTS (1945 CROP AND AFTER)

A statement of the considerations involved in the issuance of this supplement has been issued and filed with the Division of the Federal Register.

ARTICLE I—EXPLANATION OF THE SUPPLEMENT

Sec.

1. Explanation of the supplement.
2. Applicability of Food Products Regulation No. 1.
3. Definitions.

ARTICLE II—PRICING PROVISIONS

4. Processors' maximum prices for dried apples.
5. Processors' maximum prices for boiled cider, concentrated cider, filtered concentrated apple juice, depectinized concentrated apple juice and bland apple syrup.

Sec.

6. Processors' maximum prices for vinegar stock.
7. Processors' maximum prices for dried apple pomace and dried apple skins and cores.
8. Processors' maximum prices for sales of prior years' packs, of listed products which have been sold to them by government agencies.
9. Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.

ARTICLE III—MISCELLANEOUS PROVISIONS

10. Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.

AUTHORITY: § 1351.481 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong., Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7817; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155; E.O. 9651, 10 F.R. 13487.

ARTICLE I—EXPLANATION OF THE SUPPLEMENT

SECTION 1. *Explanation of the supplement.* (a) This supplement establishes maximum prices for sales of the following apple products, processed from apples of the 1945 and later crops, by all persons except wholesalers and retailers:

Dried apples.  
Boiled cider.  
Concentrated cider.  
Filtered concentrated apple juice.  
Depectinized concentrated apple juice.  
Bland apple syrup.  
Vinegar stock.  
Dried apple pomace.  
Dried apple skins and cores.

This supplement also establishes maximum prices for sales, by processors, of

items of prior years' packs which have been sold to them by government agencies.

(b) This supplement applies in the 48 states of the United States and the District of Columbia.

(c) This supplement supersedes the provisions of all other maximum price regulations and orders as to the commodities and sellers covered.

(d) This supplement becomes effective November 28, 1945.

SEC. 2. *Applicability of Food Products Regulation No. 1.* Important: Not all of the provisions affecting the maximum prices of the listed apple products are stated in this supplement. Those which are not specifically set forth here are stated in Food Products Regulation No. 1, and they are just as much a part of this supplement as if they were printed here. The "Explanation of the Regulation" is also a part of this supplement.

The particular sections of Food Products Regulation No. 1 which are applicable to this supplement are listed at appropriate places in the following provisions (in each case, the section number set forth in parentheses is the appropriate section number of Food Products Regulation No. 1). When any applicable section of the regulation is amended, the amendment also is applicable to this supplement.

SEC. 3. *Definitions.* (a) When used in this supplement the terms:

"Boiled cider" means the product obtained by boiling pure cider in an open receptacle to the extent that at least six gallons of pure cider are used to obtain one gallon of boiled cider.

"Concentrated cider" means the product obtained by concentrating pure cider by heating under vacuum.

"Depectinized concentrated apple juice" means the product obtained by filtering pure apple juice, concentrating it by heating under vacuum and depectinizing it to a sufficient extent to result in a liquid concentrate.

"Bland apple syrup" means the product obtained by removing or neutralizing the malic acid from pure apple juice, concentrating after slightly reacidifying, and heating under reduced pressure to the extent that the product meets the minimum test of 40° Baumé.

"Vinegar stock" means fermented apple juice or fermented apple cider or apple juice or apple cider which is in the process of fermenting.

"Dried apples" means apples from which the major portion of the moisture has been removed by natural or artificial drying.

"Dried apple pomace" means the sound, dried residue obtained by removing cider from apples.

(b) The definitions of the following terms, set forth in the designated sections of Food Products Regulation No. 1, are applicable to this supplement:

"Person" (sec. 1.1 of FPR 1).  
"Processor" (sec. 1.2 of FPR 1).  
"Distributor" (sec. 1.3 of FPR 1).  
"Repacker" (sec. 1.4 of FPR 1).  
"Primary distributor" (sec. 1.5 of FPR 1).

"Wholesaler" and "retailer" (sec. 1.6 of FPR 1).  
 "Ultimate consumer" (sec. 1.7 of FPR 1).  
 "Item" (sec. 1.8 of FPR 1).  
 "Container type" (sec. 1.9 of FPR 1).  
 "Sale" (sec. 1.10 of FPR 1).  
 "Price" (sec. 1.11 of FPR 1).  
 "Net delivered cost" (sec. 1.12 of FPR 1).  
 "Records" (sec. 1.14 of FPR 1).

## ARTICLE II—PRICING PROVISIONS

SEC. 4. *Processors' maximum prices for dried apples.* (a) The processor's maximum prices, f. o. b. factory, for sales of dried apples to purchasers other than government procurement agencies shall be the following prices:

Style of pack	Grade	Maximum price	
Rings, quarters and slices packed in wood boxes containing 50 pounds		California, Idaho, Montana, Oregon and Washington	
		Per pound	
	Fancy	\$0.40	
	Extra choice	.35	
Chops, not exceeding 20% moisture content, packed in sacks	Choice	.30	
	Standard	.25	
	Unclassified	.20	
		California, Idaho, Montana, Oregon and Washington	All other States
Chops, exceeding 20% moisture content, but not exceeding 24% moisture content, packed in sacks		\$0.180 per pound	\$0.220 per pound
		\$0.170 per pound	\$0.210 per pound

(b) The boxes or other containers specified in paragraph (a) are standard commercial boxes or containers.

(c) The maximum price for another container type or size of rings, quarters or slices of dried apples shall be figured by differential from the price listed above for the same grade by adding 120% of the dollars-and-cents differential per pound which existed in the processor's selling prices in 1941 when the differential is to be added, and by subtracting 120% of the dollars-and-cents differential per pound which existed in the processor's selling prices in 1941 when the differential is to be subtracted or, if the 1941 differential did not remain constant during that year, 120% of the differential in effect for the greatest length of time during that year.

(d) If the processor (including a processor of rings, quarters or slices whose

factory is located in a state not named above) cannot determine his maximum price under the foregoing provisions of this section or under section 9 (a), he shall apply to the Office of Price Administration, Washington, D. C., for authorization of a maximum price in accordance with section 9 (c).

SEC. 5. *Processors' maximum prices for boiled cider, concentrated cider, filtered concentrated apple juice, depectinized concentrated apple juice and bland apple syrup.* (a) The processors' maximum prices, f. o. b. factory, for sales of boiled cider, concentrated cider, filtered concentrated apple juice, depectinized concentrated apple juice and bland apple syrup to purchasers other than government procurement agencies shall be the following prices:

Product	Baumé test	Maximum price	
		California, Idaho, Montana, Oregon, and Washington	All other States
Boiled cider	32°	\$1.62 per gallon	\$1.65 per gallon
Concentrated cider	32°	\$1.72 per gallon	\$1.65 per gallon
Filtered concentrated apple juice	32°	\$1.80 per gallon	\$2.05 per gallon
Depectinized concentrated apple juice	32°	\$1.60 per gallon	\$2.15 per gallon
Bland apple syrup	40° or better	\$0.20 per pound	\$0.21 per pound

(b) To figure a maximum price, f. o. b. factory, for an item of boiled cider, concentrated cider, filtered concentrated apple juice or depectinized concentrated apple juice, testing other than 32 degrees Baumé, the processor shall add to the price named in paragraph (a), five cents per gallon for each degree over 32 degrees which the product tests, and he shall deduct from the named price, five cents per gallon for each degree under 32 degrees. For fractions of degrees over or under 32 degrees, the processor shall add or subtract, as the case may be, the similar fraction of five cents.

SEC. 6. *Processors' maximum prices for vinegar stock.* The processor's maximum price, f. o. b. factory, for sales to purchasers other than government procure-

ment agencies of vinegar stock of the sugar or alcoholic content required to make vinegar of 5.6 per cent acidity (or greater) shall be 21 cents per gallon if his factory is located in California, Idaho, Montana, Oregon or Washington and 26 cents per gallon if his factory is located in any other state. The processor's maximum price, f. o. b. factory, for sales to purchasers other than government procurement agencies of an item of vinegar stock containing less than the amount of sugar or alcohol required to make vinegar of 5.6 per cent acidity shall bear the same proportion to the maximum price fixed above for the appropriate area as its value for vinegar (in acidity) bears to 5.6 per cent acidity. For example, vinegar stock good for mak-

ing vinegar of 5.3 per cent acidity would be priced at 53/56ths of 21 cents per gallon for a processor whose factory is located in California.

SEC. 7. *Processors' maximum prices for dried apple pomace and dried apple skins and cores.* (a) The processor's maximum price for dried apple pomace shall be 4 cents per pound, f. o. b. factory.

(b) The processor's maximum price for dried apple skins and cores shall be 5 cents per pound, f. o. b. factory.

SEC. 8. *Processors' maximum prices for sales of prior years' packs of listed products, which have been sold to them by government agencies.* The maximum price for sales, by a processor, to purchasers other than government procurement agencies, of that portion of an item of any product listed in section 1 (a) which was packed from apples of any prior year's crop and which has been sold to the processor by a government agency, shall be that processor's maximum price, f. o. b. factory, as established under this supplement for the same item when packed from apples of the 1945 crop. However, differences in brand shall be ignored.

SEC. 9. *Provisions of Article II of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this supplement:

(a) Maximum prices for products in new container types or sizes (sec. 2.2 of FPR 1).

(b) Adjustment of dollars-and-cents maximum prices for processors who perform the wholesale or retail function (sec. 2.3 of FPR 1).

(c) Individual authorization of maximum prices (sec. 2.5 of FPR 1). For the purpose of this supplement the processor shall submit the information specified under both paragraphs (a) and (b) of this section.

(d) Uniform prices where the processor or repacker has more than one factory (sec. 2.7 of FPR 1).

(e) Uniform delivered prices where the seller has customarily been selling on an f. o. b. shipping point basis (sec. 2.8 of FPR 1).

(f) Maximum prices for sales by primary distributors (sec. 2.9 of FPR 1). However, for the purpose of this supplement the date December 28, 1945 is substituted for the date October 10, 1945 appearing in section 2.9 (a) (4) and in section 2.9 (c) (3).

(g) Maximum prices for sales by distributors who are not primary distributors, wholesalers or retailers (sec. 2.10 of FPR 1).

(h) Payment of brokers (sec. 2.11 of FPR 1).

(i) Maximum prices for sales to government procurement agencies in certain cases (sec. 2.12 of FPR 1).

(j) Special packing expenses which may be reflected in maximum prices for sales to government procurement agencies (sec. 2.13 of FPR 1).

(k) Treatment of federal and state taxes (sec. 2.14 of FPR 1).

(l) Units of sale and fractions of a cent (sec. 2.15 of FPR 1).



(m) Maintenance of customary discounts and allowances (sec. 2.16 of FPR 1).

#### ARTICLE III—MISCELLANEOUS PROVISIONS

SEC. 10. *Provisions of Article III of Food Products Regulation No. 1 applicable to this supplement.* The following provisions of Food Products Regulation No. 1 are applicable to this supplement:

(a) Restrictions on sales to primary distributors (Section 3.1 of FPR 1).

(b) Storage (sec. 3.3 of FPR 1).

(c) Export sales (sec. 3.4 of FPR 1).

(d) Notification of new maximum price (sec. 3.5 of FPR 1). The establishment for the first time of maximum prices under this supplement does not require notification.

(e) Records which must be kept (sec. 3.6 of FPR 1).

(f) Sales slips and receipts (sec. 3.8 of FPR 1).

(g) Transfers of business or stock in trade (sec. 3.9 of FPR 1).

(h) Adjustable pricing (sec. 3.11 of FPR 1).

(i) Compliance with the applicable supplement (sec. 3.12 of FPR 1).

(j) Adjustment of maximum prices of food products under "Government contracts" or subcontracts (sec. 3.13 of FPR 1).

(k) Applications for adjustment by sellers who have been found to have violated the Robinson-Patman Act (sec. 3.14 of FPR 1).

(l) Petitions for amendment (sec. 3.16 of FPR 1).

This supplement shall become effective November 28, 1945.

NOTE: All record-keeping and reporting requirements of this supplement have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

Approved: November 21, 1945.

J. B. HUTSON,  
Acting Secretary of Agriculture.

[F. R. Doc. 45-21434; Filed, Nov. 28, 1945;  
11:45 a. m.]

#### PART 1499—COMMODITIES AND SERVICES

[SR 14J, Amdt. 13]

##### FEATHERS OR DOWN

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith; and it has been filed with the Division of the Federal Register.

Supplementary Regulation No. 14J is amended in the following respect:

1. The last paragraph of section 6.1 (b) is amended to read as follows:

Sellers of second hand processed feathers or down in the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming; and the fol-

<sup>1</sup> 10 F.R. 1216, 2975, 4102, 4108, 4356, 4983, 5826, 7500, 8937.

lowing counties in the state of Texas: Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Pecos, Presidio, Reeves and Terrell, may add 4 cents per pound to the maximum prices listed above.

This amendment shall become effective on December 3, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21435; Filed, Nov. 28, 1945;  
11:42 a. m.]

#### Chapter XVIII—Office of Stabilization Administrator, Office of War Mobilization and Reconversion

[Directive 88]

##### PART 4004—PRICE STABILIZATION: MAXIMUM PRICES

##### RECONVERSION PRICING

Pursuant to the authority vested in me by the Stabilization Act of 1942, as amended, and by Executive Order 9250 of October 3, 1942 (7 F.R. 7871), Executive Order 9328 of April 8, 1943 (8 F.R. 4681), Executive Order 9599 of August 18, 1945 (10 F.R. 10155), Executive Order 9620 of September 20, 1945 (10 F.R. 12033), the directive of October 13, 1945, issued by the Director of War Mobilization and Reconversion (10 F.R. 12812), and Executive Order 9651 (10 F.R. 13487); *It is hereby ordered:*

Maximum prices determined under the reconversion pricing formula approved in Directive No. 78 (10 F.R. 11074) or under any other pricing formula designed for use during an interim period until reliable operating costs are available, shall not be permitted to reflect any increase in legal prices of materials authorized or occurring hereafter, or any increase in wage or salary rates approved by the appropriate wage or salary stabilization agency or instituted hereafter, unless the Price Administrator finds that the reflection of such increases is necessary to maintain generally fair and equitable prices or to prevent hardship impeding reconversion.

(E.O. 9250; E.O. 9328, 3 CFR, Cum. Supp. pp. 1213, 1267; E.O. 9599 (10 F.R. 10155); and E.O. 9620 (10 F.R. 12033))

Issued and effective this 27th day of November 1945.

J. C. COLLET,  
Stabilization Administrator.

[F. R. Doc. 45-21405; Filed, Nov. 27, 1945;  
4:28 p. m.]

#### Chapter XXIII—Surplus Property Administration

[SPB Rev. Reg. 8, Order 4]

##### PART 8308—FOREIGN DISPOSAL

##### APPROVAL OF DELEGATION OF DISPOSAL AUTHORITY TO WAR STORES DISPOSAL BOARD OF UNION OF SOUTH AFRICA

Pursuant to the authority of the Surplus Property Act of 1944 (58 Stat. 765, 50 U. S. C. App. Sup. 1611) and § 8308.4

<sup>1</sup> 10 F.R. 12452, 12559, 13777.

hereof and to Public Law 181, 79th Congress, *It is hereby ordered, That:*

1. The Surplus Property Administrator hereby approves of the delegation by the Department of State of its authority as disposal agency for surplus property located in the Union of South Africa to War Stores Disposal Board of the Union of South Africa; *Provided*, That such delegation shall contain provisions to the effect that the Department of State may withdraw such items as it may from time to time designate and may reclaim any property prior to final disposition; that all proposed sales will be submitted to the State Department for prior approval or veto as to price, purchaser and conditions; that disposal will be made subject to such conditions as will prevent re-export to the United States; that gross proceeds will be paid promptly to the State Department; and that disposal of United States surplus property will be made with the same care and favor accorded to surplus property of other origins.

2. Copies of all instruments delegating disposal authority pursuant to this order shall be filed promptly with the Administrator.

This order shall become effective on November 27, 1945.

W. STUART SYMMINGTON,  
Administrator.

NOVEMBER 27, 1945.

[F. R. Doc. 45-21418; Filed, Nov. 28, 1945;  
11:34 a. m.]

[SPA Reg. 17, Order 1]

##### PART 8317—STOCKPILING

##### REPORT BY RECONSTRUCTION FINANCE CORPORATION

Pursuant to the authority of the Surplus Property Act of 1944 (58 Stat. 765, 50 U.S.C. App. Sup. 1611) and Public Law 181, 79th Congress, *It is hereby ordered, That:*

1. The Reconstruction Finance Corporation shall transmit a report to the Surplus Property Administrator on January 15, 1946, covering its activities under this part between November 20, 1945 and the close of business on January 2, 1946. Such report shall be marked "Confidential" and shall be transmitted accordingly.

2. The report shall be transmitted in the format most convenient to the Reconstruction Finance Corporation and shall include the following data:

(a) The volume of strategic property declared to the Reconstruction Finance Corporation, showing with respect to each class of such property:

(1) The unit of measure.

(2) The number of units declared.

(3) The total reported cost of such property, except that in the case of scrap the total estimated value shall be reported.

(b) The volume of strategic property disposed of by the Reconstruction Finance Corporation (other than those units sold at the request or direction of the Civilian Production Administration from the civilian deficiency reserve), showing with respect to each class of such property:

<sup>1</sup> 10 F.R. 14027.



- (1) The unit of measure.
- (2) The number of units reported to the Treasury Procurement Division for transfer to the stock pile.
- (3) The reported cost (or value, in the case of scrap) of the property transferred to the Treasury Procurement Division.
- (4) The number of units sold.
- (5) The reported cost (or value, in the case of scrap) of the units sold.
- (6) The amount for which the property was sold, both cash and credit.
- (c) The reported cost of strategic property held in reserve to meet civilian deficiencies as estimated by the Civilian Production Administration pursuant to section 22(b) of the Surplus Property Act of 1944, and the reported cost of strategic property sold at the request or direction of the Civilian Production Administration to meet such civilian deficiencies, showing with respect to each class of such property:
  - (1) The unit of measure.
  - (2) The number of units held in the reserve for civilian deficiencies, as of the close of business on January 2, 1946.
  - (3) The reported cost of the said units held in reserve.
  - (4) The number of units sold at the request or direction of the Civilian Production Administration to meet such civilian deficiencies.
  - (5) The reported cost of the units sold from the said reserve.
  - (6) The amount for which the property was sold, both cash and credit.

NOTE: All reporting requirements of this part have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective as of November 20, 1945.

W. STUART SYMINGTON,  
Administrator.

NOVEMBER 27, 1945.

[F. R. Doc. 45-21419; Filed, Nov. 28, 1945;  
11:34 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

[Rev. S. O. 112, Amdt. 4]

#### PART 95—CAR SERVICE

#### DESTINATION FREE TIME ON FRESH OR GREEN FRUITS OR VEGETABLES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of November, A. D. 1945.

Upon further consideration of Revised Service Order No. 112 (9 F.R. 11278-79) as amended (9 F.R. 12656; 10 F.R. 341, 8867), and good cause appearing therefor: *It is ordered, That:*

Revised Service Order No. 112 (9 F.R. 11278-79) as amended, be, and it is hereby, further amended by substituting the following paragraph (i) for paragraph (i) thereof:

(i) *Expiration date.* This order and all amendments shall expire at 7:00 a. m.,

No. 233—5

March 15, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission.

*It is further ordered, That* this amendment shall become effective at 12:01 a. m., November 30, 1945; that a copy of this order and direction shall be served upon each State Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-21422; Filed, Nov. 23, 1945;  
11:39 a. m.]

[3d Rev. SO 180, Amdt. 1]

#### PART 95—CAR SERVICE

#### DEMURRAGE ON REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of November, A. D. 1945.

Upon further consideration of Third Revised Service Order No. 180 (10 F.R. 6125), and good cause appearing therefor: *It is ordered, That:*

Third Revised Service Order No. 180 be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 7:00 a. m., March 15, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission.

*It is further ordered, That* this amendment shall become effective at 7:00 a. m., November 30, 1945; that a copy of this order and direction shall be served upon each State Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-21423; Filed, Nov. 28, 1945;  
11:39 a. m.]

[S. O. 381]

#### PART 95—CAR SERVICE

#### BAUXITE ORE CONCENTRATES FROM MOBILE, ALA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of November, A. D. 1945.

It appearing, that the loading of box cars with bauxite ore concentrates from the Aluminum Ore Company, Mobile, Alabama, and the assembling and forwarding of the loaded cars from Mobile in trainload lots of 1800 tons, or more, by common carriers by railroad are impeding the use, control, supply, movement distribution, exchange, and interchange of such cars; in the opinion of the Commission an emergency exists at Mobile, Alabama, requiring immediate action to prevent a shortage of equipment and congestion of traffic: it is ordered, that:

*Shipments of bauxite ore concentrates from Mobile, Alabama.* (a) *Shipments of bauxite ore concentrates to be forwarded within one day (24 hours).* Common carriers by railroad subject to the Interstate Commerce Act transporting in switch and line-haul movement trainload shipments of 1800 tons, or more, of bauxite ore concentrates from the Aluminum Ore Company, Mobile, Alabama, shall forward each individual carload consisting of part of a shipment made under section 1, Item 1605 of Agent L. E. Kipp's I. C. C. 1509, or as amended, from Mobile, Alabama, within one day (24 hours) after the first 7 a. m. after the car is loaded.

(b) *Cars comprising minimum trainload must be moved within three days (72 hours).* Each common carrier by railroad shall forward all carloads comprising minimum trainload shipment mentioned in paragraph (a) of this section from Mobile, Alabama, within three days (72 hours) after the first 7 a. m. after the first car is loaded.

(c) *Exceptions.* Box cars in which mechanical defects have developed after loading.

(d) *Computing time.* In computing the time under this order Sundays and bank holidays shall be included.

(e) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances.

(f) *Effective date.* This order shall become effective at 12:01 a. m., November 30, 1945.

(g) *Expiration date.* This order shall expire at 11:59 p. m., March 10, 1946, unless otherwise modified, changed, suspended or annulled by order of the Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17).)

It is further ordered, that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-21424; Filed, Nov. 23, 1945;  
11:39 a. m.]

## Notices

### DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 133]

AMERICAN BOX BOARD ET AL.

#### FINDING AS TO CONTRACTS IN PROSECUTION OF WAR

In the matter of American Box Board et al., Grand Rapids, Michigan. Cases Nos. S-3248, S-3345.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving the Michigan Conference of Local Unions of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, and certain concerns engaged in transportation of commodities in the State of Michigan,

I find that the motor transportation of goods, articles and commodities by any of the concerns involved in the above dispute, to or from any plant, mine or facility equipped for the manufacture, production or mining of any articles or materials which may be required or useful in the prosecution of the war, pursuant to any contract, whether or not with the United States, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 26th day of November 1945.

L. B. SCHWELLENBACH,  
Secretary of Labor.

[F. R. Doc. 45-21412; Filed, Nov. 28, 1945; 10:37 a. m.]

[WLD 140]

MARINETTE FUEL & DOCK CO. ET AL.

#### FINDING AS TO CONTRACTS IN PROSECUTION OF WAR

In the matter of Marinette Fuel & Dock Company, Northland Fuels, Inc., Diamond Coal & Dock Company, Marinette, Wisconsin. Case No. S-3471.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78 Cong., 1st sess.) and the directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving Marinette Fuel & Dock Company, Northland Fuels, Inc. and Diamond Coal & Dock Company, Marinette, Wisconsin,

I find that the motor transportation of coal by Marinette Fuel & Dock Company, Northland Fuels, Inc. and Diamond Coal & Dock Company, pursuant to contracts with manufacturing concerns, railroads and public utility companies, is contracted for in the prosecution of the

war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 27th day of November 1945.

L. B. SCHWELLENBACH,  
Secretary of Labor.

[F. R. Doc. 45-21413; Filed, Nov. 28, 1945; 10:37 a. m.]

[WLD 142]

CALUMET TRUCKING CO. AND FLICKINGER MOTOR SERVICE

#### FINDING AS TO CONTRACTS IN PROSECUTION OF WAR

In the matter of Calumet Trucking Company, Flickinger Motor Service, East Chicago, Indiana. Case No. S-3551.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving Calumet Trucking Company and Flickinger Motor Service, East Chicago, Indiana,

I find that the construction activities of Calumet Trucking Company, and Flickinger Motor Service, East Chicago, Indiana, consisting of excavation and grading, pursuant to contract with Government agencies and industrial concerns, are contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 27th day of November 1945.

L. B. SCHWELLENBACH,  
Secretary of Labor.

[F. R. Doc. 45-21414; Filed, Nov. 28, 1945; 10:37 a. m.]

### FEDERAL POWER COMMISSION.

[Docket No. IT-5829]

ARKANSAS POWER & LIGHT CO.

ORDER POSTPONING DATE OF HEARING

NOVEMBER 23, 1945.

It appearing to the Commission that:

(a) A public hearing respecting the matters involved and the issues arising out of the proceedings in this matter is now set for December 4, 1945, in the Commission's Hearing Room, 1800 Pennsylvania Avenue NW., Washington, D. C.;

(b) Good cause exists for the postponement of the public hearing in this matter as hereinafter provided;

The Commission orders that: The public hearing in the above-entitled proceeding, now set to commence on December 4, 1945, be and the same is hereby postponed to a date to be hereafter fixed by order of the Commission.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 45-21411; Filed, Nov. 28, 1945; 9:38 a. m.]

### INTERSTATE COMMERCE COMMISSION.

[S. O. 382]

#### UNLOADING OF LUMBER AT OREGON POINTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of November, A. D. 1945.

It appearing, that numerous cars containing lumber and veneer at St. Johns and Baker, Oregon, on the Union Pacific Railroad Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action: it is ordered, that:

*Lumber at Oregon Points, be unloaded.*

(a) The Union Pacific Railroad Company, its agents or employees, shall unload forthwith the following cars of lumber now on hand at the points shown:

At St. Johns, Oregon,—Consigned Plylock Corporation:

GN 29681	PA 58391
CBQ 22901	MA&STL 53638
SP 63553	NH 31372
N&W 41723	SAL 17128
SOU 40101	NYO 203278
NYO 176878	IC 19633
WAB 85024	

At Baker, Oregon,—Consigned Burnt Lumber Company:

RI 140468

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carloads have been completely unloaded in compliance with the requirements of paragraph (a). Upon the unloading and receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon The Union Pacific Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-21425; Filed, Nov. 28, 1945; 11:39 a. m.]

[S. O. 383]

#### UNLOADING OF CLAY AT ST. HELENS, OREG.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of November, A. D. 1945.

It appearing, that CofG 55728 containing clay at Tacoma, Washington, on the

Spokane, Portland and Seattle Railway Company, has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action: it is ordered, that:

*Clay at St. Helens, Oregon, be unloaded.* (a) The Spokane, Portland and Seattle Railway Company, its agents or employees, shall unload forthwith CofG 55728 containing clay now on hand at St. Helens, Oregon, consigned to Firtex Co.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carload has been completely unloaded in compliance with the requirements of paragraph (a). Upon the unloading and receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon Spokane, Portland and Seattle Railway Company, and upon the Association of American Railroads, Car Service Division, as Agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-21426; Filed, Nov. 28, 1945;  
11:39 a. m.]

[S. O. 384]

#### UNLOADING OF VENEER AT ST. JOHNS, OREG.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of November, A. D. 1945.

It appearing, that SP 65128 containing veneer at St. Johns, Oreg., on the Northern Pacific Railway Company, has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action: it is ordered, that:

*Veneer at St. Johns, Oreg., be unloaded.* (a) The Northern Pacific Railway Company, its agents or employees, shall unload forthwith SP 65128 containing veneer now on hand at St. Johns, Oreg., consigned to Plylock Corporation.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carload has been completely unloaded in compliance with the requirements of paragraph (a). Upon the unloading and receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Northern Pacific Railway Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-21427; Filed, Nov. 28, 1945;  
11:39 a. m.]

[S. O. 368, Special Permit 2]

#### UNLOADING OF FREIGHT CARS AT WASHINGTON, D. C.

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph of Service Order No. 368 (10 F.R. 14030), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 368 insofar as it applies at Washington, D. C.

This special permit shall expire at 11:59 p. m. December 6, 1945.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of November 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-21428; Filed, Nov. 23, 1945;  
11:39 a. m.]

[S. O. 368, Special Permit 3]

#### UNLOADING OF FREIGHT CARS AT PHILADELPHIA, PA.

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph of Service Order No. 368 (10 F.R. 14030), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 368 insofar as it applies at Philadelphia, Pa.

This special permit shall expire at 11:59 p. m., December 6, 1945.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car

service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of November 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-21429; Filed, Nov. 23, 1945;  
11:39 a. m.]

[S. O. 363, Special Permit 4]

#### UNLOADING OF FREIGHT CARS AT BALTIMORE, MD.

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph of Service Order No. 368 (10 F.R. 14030), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 363 insofar as it applies at Baltimore, Maryland.

This special permit shall expire at 11:59 p. m., December 6, 1945.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of November 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-21430; Filed, Nov. 23, 1945;  
11:40 a. m.]

#### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order CE 69]

#### COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN MICHIGAN, ILLINOIS, WISCONSIN AND IOWA COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action

or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the

United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order

may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on November 20, 1945.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
Stamates Stavrianopoulos.....	Greece.....	<i>Item 1</i> Estate of Louis Stavrianopoulos, deceased, Probate Court, Berrien County, Mich.	\$400.00	LaSalle National Bank, 135 South LaSalle St., Chicago, Ill., Account: "A. Poupouras, Acting Consul General of Greece at Chicago, Ill., or his successor, in trust for Stamates Stavrianopoulos, Georgios Stavrianopoulos, Demetrios Stavrianopoulos, Speros Stavrianopoulos, and Theodoros Stavrianopoulos."	\$7.00
Georgios Stavrianopoulos.....	Greece.....	<i>Item 2</i> Same.....	400.00	Same.....	7.00
Demetrios Stavrianopoulos.....	Greece.....	<i>Item 3</i> Same.....	400.00	Same.....	7.00
Speros Stavrianopoulos.....	Greece.....	<i>Item 4</i> Same.....	400.00	Same.....	7.00
Theodoros Stavrianopoulos.....	Greece.....	<i>Item 5</i> Same.....	400.00	Same.....	7.00
Otto Therkildsen.....	Denmark.....	<i>Item 6</i> Estate of Wilhelmina Hansen, deceased, Probate Court, Kent County, Mich.	539.57	The First National Bank of Chicago, 33 South Dearborn St., Chicago, Ill., Account No. 1445162.	10.00
Anna Thomsen.....	Denmark.....	<i>Item 7</i> Same.....	539.57	The First National Bank of Chicago, 33 Dearborn St., Chicago, Ill., Account No. 1445163.	10.00
Ionis Grigoriou Nicolarios, Polito Grigoriou Nicolarios, Georgia Grigoriou Nicolarios, Eleni Grigoriou Nicolarios.....	Greece.....	<i>Item 8</i> Estate of Peter Nicholas, deceased, Probate Court, Wayne County, Mich., File No. 314244.	(0)	George Nicholas, Executor of the Estate of Peter Nicholas, deceased, 40 East McNichols St., Highland Park, Mich.	49.00
Jens N. Jensen.....	Denmark.....	<i>Item 9</i> Estate of Jacob Jensen, deceased, Probate Court, Muskegon County, Mich., File No. 19839.	2,278.38	The First National Bank of Chicago, 33 South Dearborn St., Chicago, Ill., Account No. 1396143 in the name of Jens N. Jensen.	107.00
Josephine Necclari.....	France.....	<i>Item 10</i> Estate of Sabatino Dardini, deceased, Probate Court, Wayne County, Mich., File No. 307898.	353.40	The County Treasurer of Wayne County, Detroit, Mich.	13.00
Paulina Necclari.....	France.....	<i>Item 11</i> Same.....	353.41	Same.....	13.00
Sophia Perlstein.....	Czechoslovakia.....	<i>Item 12</i> Estate of Alex Blum, deceased, County Court, Champaign County, Ill., No. 11479.	16,847.72	The County Treasurer of Champaign County, Urbana, Ill.	70.00
Iver Jacobsen.....	Denmark.....	<i>Item 13</i> Estate of Elsa Jacobsen, deceased, Probate Court, Lake County, Ill., No. 16483.	1,954.47	The County Treasurer of Lake County, Waukegan, Ill.	77.00
Nicco (name unknown) of Michael Heany, deceased.....	Czechoslovakia.....	<i>Item 14</i> Estate of Michael Heany, deceased, County Court, McHenry County, Ill., No. 11789.	68.68	The County Treasurer of McHenry County, Woodstock, Ill.	13.00
Anton Heany.....	Czechoslovakia.....	<i>Item 15</i> Same.....	68.69	Same.....	13.00
Evon Andre.....	Belgium.....	<i>Item 16</i> Haussy v. Andre, Circuit Court, Vermillion County, Ill., In Chancery No. 25058.	180.27	The County Treasurer of Vermillion County, Danville, Ill.	23.00
Renie Andre.....	Belgium.....	<i>Item 17</i> Same.....	180.27	Same.....	23.00
Christine Petra Peterson.....	Denmark.....	<i>Item 18</i> Estate of Sine Larsen, deceased, County Court, Racine County, Wis.	230.82	Mr. Reimund Baumann, Danish Consul, 88 East Bellevue Pl., Chicago, Ill. Funds held in General Consulate Account.	32.00

\$12,469.20 cash and \$3,640.00 United States bonds.

## EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
Ane Christiansen Aagard.....	Denmark.....	<i>Item 19</i> Estate of Peder Pedersen, deceased, District Court, Clinton County, Iowa.	\$162.00	Anton Christensen, Trustee of the Estate of Peder Pedersen, deceased, 1517 South Bluff Blvd., Clinton, Iowa.	\$5.00
Petrea Christiansen Hansen.....	Denmark.....	<i>Item 20</i> Same.....	162.00	Same.....	5.00
Julius Christiansen.....	Denmark.....	<i>Item 21</i> Same.....	162.00	Same.....	5.00
Birgitte Pedersen Nielsen.....	Denmark.....	<i>Item 22</i> Estate of Peder Pedersen, deceased, District Court, Clinton County, Iowa.	\$57.81	Anton Christensen, Trustee of the Estate of Peder Pedersen, deceased, 1517 South Bluff Blvd., Clinton, Iowa.	\$2.00
Laurids Pedersen.....	Denmark.....	<i>Item 23</i> Same.....	\$57.81	Same.....	\$2.00

[F. R. Doc. 45-21360; Filed, Nov. 27, 1945; 11:10 a. m.]

## OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Amdt. 1 to Order 109]

NIAGARA SEARCHLIGHT CO., INC.

## ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register; and pursuant to paragraph (a) (16) of Order A-2 under § 1499.159b of Maximum Price Regulation No. 188; *It is ordered:* That paragraph (a) of Order No. 109 under paragraph (a) (16) of Order A-2 under § 1499.159b of Maximum Price Regulation No. 188 be amended to read as follows:

(a) *Manufacturer's maximum prices.* Niagara Searchlight Company, Niagara Falls, New York, on and after the effective date of this order may sell its No. 12 portable flashlight lantern without battery, of its manufacture, to wholesalers (jobbers) and retailers at prices no higher than its prices for each such sale in effect prior to the effective date of this order plus an adjustment charge of \$.093 each.

This adjustment charge may be collected only if it is separately stated on each invoice. The adjusted prices are subject to the manufacturer's discounts, allowances and other price differentials in effect during March, 1942 on sales to each class of purchaser.

This amendment shall become effective November 28, 1945.

Issued this 27 day of November 1945.

RICHARD H. FIELD,  
Acting Administrator.

[F. R. Doc. 45-21373; Filed, Nov. 27, 1945;  
11:46 a. m.]

[MPR 188, Order 4711]

AMERICAN METAL PRODUCTS CO.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain

articles manufactured by the American Metal Products Company, 730 Hudgins, Sylvania Station Box 66, Fort Worth 9, Tex.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Retailers (more than 3 units)	Retailers (less than 3 units)	Consumers
Electric fan.	C. F. A. 1640..	Each \$24	Each \$26	Each \$28	Each \$48

These maximum prices are for the articles described in the manufacturer's application dated September 24, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are net 30 days, f. o. b. factory. Only the exact amount of the Federal Excise Tax may be added that each particular seller is required to pay.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers

is established by this order. That tag or label shall contain either of the following statements with the correct order number, model number and retail prices properly filled in:

Order No. 4711

Model No. \_\_\_\_\_

OPA Retail Ceiling Price—\$\_\_\_\_\_

Do Not Detach or Obliterate

OR

American Metal Products Co.

730 Hudgins

Sylvania Station Box 66

Fort Worth 9, Texas

Model No. \_\_\_\_\_

OPA Retail Ceiling Price—\$\_\_\_\_\_

Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 28th day of November 1945.

Issued this 27th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21374; Filed, Nov. 27, 1945;  
11:44 a. m.]

[MPR 183, Order 4712]

CORY GLASS COFFEE BREWER CO.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.157 of Maximum Price Regulation No. 188 and section 6.4 of Second Revised Supplementary Regulation No. 14: *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of single burner stoves manufactured by the Cory Glass Coffee Brewer Company, 221 N. La-Salle Street, Chicago 1, Illinois.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Cory Glass Coffee Brewer Company  
221 N. LaSalle Street  
Chicago 1, Illinois

Model No. -----  
OPA Retail Ceiling Price—\$-----  
Federal Excise Tax Included  
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(4) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 28th day of November 1945.

Issued this 27th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21375; Filed, Nov. 27, 1945;  
11:45 a. m.]

[MPR 120, Order 1521]

CHARLIE CRAFT COAL CO., ET AL.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, it is ordered:

(a) (1) The following truck-rail mines, all of which are operated in the Elkhorn Seam in Letcher County, Kentucky, in District No. 8, are hereby assigned the Mine index numbers appearing after their respective names. Their coals for truck or wagon shipments are classified in Maximum Truck Price Group No. 5.

or

Article	Model No.	Maximum prices for sales by any seller to—		
		Wholesalers (jobbers)	Retailers (6 units or more)	Consumers
Single domestic stove without cord set.....	DEO	Each \$1.70	Each \$2.12	Each \$2.23 Each \$3.45

These prices are for the articles described in the manufacturer's application dated October 30, 1945.

(2) For sales by the manufacturer, these maximum prices apply to all sales and deliveries after the effective date of this order. The manufacturer's prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days. These prices include the Federal Excise Tax. The prices for sales by persons other than the manufacturer are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number, model number and retail prices properly filled in:

Order No. 4712  
Model No. -----  
OPA Retail Ceiling Price—\$-----  
Federal Excise Tax Included  
Do Not Detach or Obliterate

Name of producer and address	Mine name	Rail shipping point	Mine Index No.	Sub-district No.
Charlie Craft, Polly, Ky.	Charlie Craft Coal Co.	Bellevue, Ky.	7525	3
Wilson Banks, Polly, Ky.	Wilson Banks Coal Co.	do	7526	3
Enoch Sargent, Polly, Ky.	Enoch Sargent	do	7527	3
Carl Taylor, Polly, Ky.	Carl Taylor	do	7528	3
Mart Calhoun, Loom, Ky.	Calhoun Coal Co.	do	7529	3
Howard Hall, Loom, Ky.	Hall & Polly	do	7530	3
Harve Hall, Loom, Ky.	Harve Hall	do	7531	3
Steve Ison, Colson, Ky.	Steve Ison Coal Co.	do	7532	3
H. C. Banks, Colson, Ky.	H. C. Banks Coal Co.	do	7533	3
John Holcomb, Polly, Ky.	John Holcomb	do	7534	3
S. A. Coal Co., Ermine, Ky.	S. A. Coal Co.	Ermine, Ky.	7535	1
Stallard Coal Co., Ermine, Ky.	Stallard Coal Co.	do	7536	1
Lonsome Pine Coal Co., Whitesburg, Ky.	Lonsome Pine Coal Co.	Whitesburg, Ky.	7537	1
Haynes Coal Co., Whitesburg, Ky.	Haynes Coal Co.	do	7538	1
Martin Holbrook, Whitesburg, Ky.	Martin Holbrook	do	7539	1
Lynch & Hughes, Whitesburg, Ky.	Lynch & Hughes	do	7540	1
Gilley & Hampton, Dargola, Ky.	Gilley & Hampton	do	7541	1

Name of producer and address	Mine name	Rail shipping point	Mine Index No.	Sub-district No.
Collins & Lewis, Whitesburg, Ky.	Collins & Lewis No. 2	Whitesburg, Ky.	7542	3
Can Cook, Kona, Ky.	Sleepy Hollow Coal Co.	Kona, Ky.	7543	1
Herman Hogg, Kona, Ky.	Hogg Elkhorn Coal Co.	do	7544	1
Red Bud Coal Co., Kona, Ky.	Red Bud Coal Co.	do	7545	1
T. O. M. Coal Co., Milstone, Ky.	T. O. M. Coal Co.	do	7546	1
Tracy No. 2, Milstone, Ky.	Tracy No. 2	do	7547	1
Map Coal Co., Milstone, Ky.	Map Coal Co.	do	7548	1
Franklin Bros. Coal Co., Milstone, Ky.	Franklin Bros. Coal Co.	do	7549	1
Hughes & Mason, Milstone, Ky.	Hughes & Mason	do	7550	1
Nathanael Ann Coal Co., Milstone, Ky.	Nathanael Ann Coal Co.	do	7551	1
O. & J. Coal Co., Milstone, Ky.	O. & J. Coal Co.	do	7552	1
E. & B. Coal Co., Milstone, Ky.	E. & B. Coal Co.	do	7553	1
W. D. Bentley, Milstone, Ky.	Bentley	do	7554	1
Roy Able Coal Co. No. 2, Milstone, Ky.	Roy Able Coal Co. No. 2	do	7555	1
Ben Adams, Jackhorn, Ky.	Ben Adams	Jackhorn, Ky.	7556	1
Cratt & Mayking, Jackhorn, Ky.	Cratt & Mayking	Mayking, Ky.	7557	1
Cratt & Mayking, Jackhorn, Ky.	Cratt & Mayking	do	7558	1
Glen Mott, Co., Mayking, Ky.	Glen Mott Coal Co.	do	7559	1
Roberts & Adams, Mayking, Ky.	Roberts & Adams	do	7560	1
Wampler Coal Co., Mayking, Ky.	Wampler Coal Co.	do	7561	1
Steve Bentley, Seco, Ky.	Steve Bentley	Seco, Ky.	7562	1
Steve Williams & Millard, Faraday, Ky.	Steve Williams & Millard	Faraday, Ky.	7563	1
W. R. Coal Co., Faraday, Ky.	W. R. Coal Co.	do	7564	1
Rebecca Coal Co., Thornton, Ky.	Rebecca Coal Co.	do	7565	1
F. & W. Coal Co., Thornton, Ky.	F. & W. Coal Co.	do	7566	1
Poplar Elkhorn Coal Co., Thornton, Ky.	Poplar Elkhorn Coal Co.	Thornton, Ky.	7567	1
Smith & Adams, Thornton, Ky.	Smith & Adams	do	7568	1
Polly & Newsome Coal Co., Thornton, Ky.	Polly & Newsome Coal Co.	do	7569	1

(2) Bituminous coal produced at the truck-rail mines listed in paragraph (a) (1) of this order may be purchased and sold for the indicated uses and movements at per net ton prices in cents per net ton not exceeding the following plus the 40¢ per net ton increase, provided by Second Revised-Order No. 1432 under Maximum Price Regulation No. 120 for coals produced at nonrail connected mines in Letcher County, Kentucky, which are trucked from the mine to a rail siding:

Size group Nos.										
1	2	3	4	5	6	7	8	9	10	11
K	K	K	K	K	K	K	G	E	G	D
\$3.80	\$3.75	\$3.65	\$3.60	\$3.55	\$3.50	\$3.40	\$3.30	\$3.25	\$3.20	\$3.15
3.95	3.75	3.50	3.35	3.10	2.75	2.70				

(b) (1) The following truck-rail mines, all of which are operating in the Elkhorn Seam in Letcher County, Kentucky, in District No. 8, are hereby assigned the mine index numbers appearing after their respective names. Their coal for truck or wagon shipments are classified in Maximum Truck Price Group No. 5:

Name of producer and address	Mine name	Rail shipping point	Mine Index No.	Sub-district No.
Gibson & Meade Coal Co., Jackhorn, Ky.	Gibson & Meade Coal Co.	Jackhorn, Ky.	7524	1
Gibson Coal Co., Neen, Ky.	Gibson Coal Co.	Neen, Ky.	7525	1
P. T. Coal Co., Neen, Ky.	P. T. Coal Co.	do	7526	1
O. C. Williams, Neen, Ky.	O. C. Williams Coal Co.	do	7527	1
King Coal Co., Neen, Ky.	King Coal Co.	do	7528	1
Ellis Bankly, Neen, Ky.	Ellis Bankly Coal Co.	do	7529	1
Sexton & Meade Coal Co., Neen, Ky.	Sexton & Meade Coal Co.	do	7530	1
John Sexton, Neen, Ky.	John Sexton	do	7531	1
Carl Taylor, Neen, Ky.	Carl Taylor	do	7532	1
Morgan Johnson, McAdams, Ky.	Morgan Johnson	Ermine, Ky.	7533	1
H. & H. Coal Co., Cronoma, Ky.	H. & H. Coal Co.	Cronoma, Ky.	7534	1
Bates & Hampton, Cronoma, Ky.	Bates & Hampton	do	7535	1
Howard & Kinser Coal Co., Cronoma, Ky.	Howard & Kinser Coal Co.	do	7536	1



(2) Bituminous coal produced at the truck-rail mines listed in paragraph (b) (1) of this order may be purchased and sold for the indicated uses and movements at per net ton prices in cents per net ton not exceeding the following plus the 40¢ per net ton increase provided by Second Revised Order No. 1432 under Maximum Price Regulation No. 120 for coals produced at nonrail connected mines in Letcher County, Kentucky, which are trucked from the mine to a rail siding:

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15, 16,17	18	19	20, 21	
Price classifications.....	H	H	H	H	F	F	E	E	C	O	A	D	D	D	
All methods of transportation (except truck or wagon) and for all uses.....	\$3.95	\$3.90	\$3.75	\$3.75	\$3.70	\$3.55	\$3.35	\$3.30	\$3.30	\$3.35	\$3.20	\$3.15	\$3.15	\$3.15	
Truck or wagon shipments.....	3.95	3.75	3.50	3.50	3.35	3.10	2.75	2.70	-----	-----	-----	-----	-----	-----	

(c) (1) The following truck-rail mines, all of which are operating in the Hazard No. 4 Seam in Letcher County, Kentucky, in District No. 8, are hereby assigned the mine index numbers appearing after their respective names, and their coals for truck or wagon shipments are classified in Maximum Truck Price Group No. 5:

Name of producer and address	Mine name	Rail shipping point	Mine index No.	Sub-district No.
W. M. Richmond Whiteo Coal Co., Whitesburg, Ky.	W. M. Richmond Whiteo Coal Co.	Whitesburg, Ky.	7234	3
Whitaker & McIntosh Coal Co., Whitesburg, Ky.	Whitaker & McIntosh Coal Co.	do.	7235	3
Goodwin Coal Co., Whitesburg, Ky.	Goodwin Coal Co.	do.	7236	3
Gardner Bates Coal Co., Whitesburg, Ky.	Gardner Bates Coal Co.	do.	7237	3
Hammonds Coal Co., Whitesburg, Ky.	Hammonds Coal Co.	do.	7238	3
Ray Collins, Whitesburg, Ky.	Ray Collins	do.	7239	3
Bradley Bentley, Whitesburg, Ky.	Bradley Bentley	do.	7240	3
Caudill & Dixon, Blackey, Ky.	Caudill & Dixon	Blackey, Ky.	7241	3
Caudill Coal Co., Blackey, Ky.	Caudill Coal Co.	do.	7242	3
Ivan Mabry, Roxanna, Ky.	Ivan Mabry	Roxanna, Ky.	7243	3

(2) Bituminous coal produced at the truck-rail mines listed in paragraph (c) (1) of this order may be purchased and sold for the indicated uses and movements at per net ton prices in cents per net ton not exceeding the following plus the 40¢ per net ton increase provided by Second Revised Order No. 1432 under Maximum Price Regulation No. 120 for coals produced at nonrail connected mines in Letcher County, Kentucky, which are trucked from the mine to a rail siding:

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15, 16 17	18	19	20, 21	
Price classifications.....	M	M	M	M	K	K	J	G	E	G	D	K	K	K	
All methods of transportation (except truck or wagon) and for all uses.....	\$3.65	\$3.65	\$3.60	\$3.60	\$3.60	\$3.50	\$3.50	\$3.25	\$3.25	\$3.60	\$3.15	\$3.60	\$2.95	\$2.95	
Truck or wagon shipments.....	3.95	3.75	3.50	3.50	3.35	3.10	2.75	2.70	-----	-----	-----	-----	-----	-----	

(d) The prices established herein are f. o. b. the mine or preparation plant for truck or wagon shipments, and f. o. b. the rail or river shipping point for rail or river shipments and for railroad fuel, all uses.

(e) All prayers of applicant not granted herein are hereby denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

(g) Except as specifically provided in this order, the provisions of Maximum Price Regulation No. 120 governing the sale of bituminous coal shall remain in effect.

(h) The price classifications and mine index numbers assigned herein are permanent, but the maximum prices may be changed by order or amendment.

This order shall become effective November 28, 1945.

Issued this 27th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21372; Filed, Nov. 27, 1945;  
11:45 a. m.]

[MPR 188, Order 4713]

THE HARDWARE SPECIALTIES MANUFACTURING CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Hardware Specialties Manufacturing Company, P. O. Box 844, Bridgeport 1, Conn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Chain and department stores	Other retailers	Consumers
Cast aluminum mail box with lock and key.....	1	Each \$1.23	Each \$1.03	Each \$1.83	Each \$2.75
Cast aluminum mail box with latch.....	2	1.35	1.00	1.83	2.75

These maximum prices are for the articles described in the manufacturer's application dated October 23, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

Model No. ....  
OPA Retail Ceiling Price—\$2.75 each  
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 28th day of November 1945.

Issued this 27th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21376; Filed, Nov. 27, 1945;  
11:45 a. m.]

[MPR 260, Order 1984]

GUISEPPE URSO

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Giuseppe Urso, 2912 E. 6th Street, Los Angeles, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
U. S. O.-----	Reina.....	50	Per M \$97.50	13
	Perfecto.....	50	138.00	18
	Coronado.....	50	169.00	22
	Londres.....	50	101.25	2 for 27
	Regulator.....	50	75.00	10
	Invincible.....	50	154.00	20
	Panatela.....	50	138.00	18
	Breva.....	50	154.00	20

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The no-

tice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 28, 1945.

Issued this 27th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21377; Filed, Nov. 27, 1945; 11:46 a. m.]

[MPR 260, Order 1985]

PAUL J. FINNERTY

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Paul J. Finnerty, 5330 Cote Brillante, St. Louis, Mo. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Finnerty's hand made.	Straight.....	50	Per M \$75	10
	Perfecto.....	50	75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall al-

low the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 28, 1945.

Issued this 27th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21378; Filed, Nov. 27, 1945; 11:46 a. m.]

[MPR 260, Order 1986]

LELHY CIGAR CO.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Jesse Lelhy, d/b/a Lelhy Cigar Company, 1430 So. Los Angeles Street, Los Angeles, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Lelhy's Quality..	Ambassadors..	50	Per M \$115	Cents 15

(b) The manufacturer and wholesalers shall grant with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the

same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 28, 1945.

Issued this 27th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21379; Filed, Nov. 27, 1945;  
11:47 a. m.]

[MPR 580, Amdt. 1 to Order 42]

NOLDE & HORST CO.

#### ESTABLISHMENT OF CEILING PRICES

Maximum Price Regulation 580, Order No. 42, Amendment 1. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-146.

For the reasons set forth in the opinion issued simultaneously herewith, paragraph (a) of Order No. 42 is amended by adding the following:

The retail ceiling price of an article manufactured for the first time after the effective date of this order and which is sold by the manufacturer at the same price as another article of the same type with the same brand or company name and for which a retail ceiling price has been established by this paragraph (a) shall be the retail ceiling price listed for that other article in this paragraph (a).

No. 233-6

This amendment shall become effective November 28, 1945.

Issued this 27th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21384; Filed, Nov. 27, 1945;  
11:44 a. m.]

[MPR 580, Amdt. 2 to Order 32]

COBBLERS, INC.

#### ESTABLISHMENT OF CEILING PRICES

Maximum Price Regulation 580, Order 32, Amdt. 2. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-85.

For the reasons set forth in the opinion issued simultaneously herewith, paragraph (a) of Order No. 32 is amended by adding the following:

Article	Brand name	Manufacturer's selling price	Retail ceiling price
Women's shoes.....	Fluctors.....	Per pair \$3.85	\$5.00
	do.....	4.45	5.00
Misses' and children's shoes.....	Little Cobblers.....	2.95	4.00
	do.....	3.65	4.00

The retail ceiling price of an article manufactured for the first time after the effective date of this order and which is sold by the manufacturer at the same price as another article of the same type with the same brand or company name and for which a retail ceiling price has been established by this paragraph (a) shall be the retail ceiling price listed for that other article in this paragraph (a).

This amendment shall become effective as of October 4, 1945.

Issued this 27th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21383; Filed, Nov. 27, 1945;  
11:44 a. m.]

[MPR 580, Amdt. 1 to Order 53]

RAINFALL, INC.

#### ESTABLISHMENT OF CEILING PRICES

Maximum Price Regulation 580, Order No. 58, Amendment 1. Establishing ceiling prices at retail for branded articles. Docket No. 6063-580-13-61.

For the reasons set forth in the accompanying opinion issued simultaneously herewith, paragraph (a) of Order No. 58 is amended by adding the following:

Article	Brand name	Style name	Manufacturer's price line	Ceiling price at retail
Coat.....	Rainfall.....	V-Scold.....	\$3.00	\$4.00

The retail ceiling price of an article manufactured for the first time after the effective date of this order and which is sold by the manufacturer at the same price as another article of the same type with the same brand name or company name and for which a retail ceiling price has been established by this paragraph (a) shall be the retail ceiling price listed for that other article in this paragraph (a).

This amendment shall become effective November 28, 1945.

Issued this 27th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21385; Filed, Nov. 27, 1945;  
11:44 a. m.]

[MPR 580, Order 264]

AMITY LEATHER PRODUCTS CO. INC.

#### ESTABLISHMENT OF CEILING PRICES

Maximum Price Regulation No. 580, order 264; establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-358.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580, it is ordered:

(a) The following ceiling prices are established for sales by any seller at retail of the following articles manufactured by Rolfs, Division of Amity Leather Products Company, Inc., West Bend, Wis., having the brand name "Rolfs," and described in the manufacturer's application dated September 6, 1945:

Style name	Manufacturer's selling price	Retail ceiling price
Men's billfolds:		
Director.....	\$1.75	\$3.50
	2.50	5.00
	3.75	7.50
	5.00	10.00
	10.00	20.00
Director, Jr.....	1.25	2.50
	.75	1.50
	1.00	2.00
Identifier.....	1.25	2.50
	1.75	3.50
	2.50	5.00
	3.75	7.50
Ladies' billfolds.....	.50	1.00
	.75	1.50
	1.00	2.00
	1.75	3.50
	2.50	5.00
	3.75	7.50
	5.00	10.00

(b) The retail ceiling price of an article stated in paragraph (a) shall apply to any other article of the same type, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this order.

(c) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(d) On and after December 15, 1945, Rolfs, Division of Amity Leather Products Company, Inc., West Bend, Wis., must mark each article listed in para-

graph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Sec. 13, MPR 580)  
OPA Price—\$-----

On and after January 15, 1946, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to January 15, 1946, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation.

(e) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(f) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 28, 1945.

Issued this 27th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21386; Filed, Nov. 27, 1945;  
11:47 a. m.]

[SO 119, Order 19]

BERSTED MANUFACTURING CO.

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 13 and 14 of Supplementary Order No. 119, it is ordered:

(a) *Manufacturer's maximum prices.* Bersted Manufacturing Company, Fostoria, Ohio, may increase by no more than 12.1% its ceiling prices to each class of purchaser, for small electrical appliances of its manufacturer.

(b) *Maximum prices of purchasers for resale.* The manufacturer is required to calculate wholesalers' and retailers' ceiling prices for small electrical appliances which he sells at adjusted prices permitted by this order, according to the provisions of this paragraph:

(1) *Retailers ceiling prices.* The retail ceiling price is the manufacturer's price for the article, exclusive of Federal excise tax, to the class of wholesaler to which the manufacturer sells in the largest volume, plus 100% of such price and the Federal excise tax paid by the manufacturer on a sale to such a wholesaler.

(2) *Wholesaler's ceiling prices.* (a) The wholesale ceiling price for electric heaters is the retail ceiling price, exclusive of Federal excise tax, as established by this order, less 40% for sales in quantities of three or more units, or less 35% for sales in quantities of less than three units, plus the amount of the Federal excise tax included in the retail ceiling price.

(b) The wholesale ceiling price for other small electrical appliances is the retail ceiling price, exclusive of Federal excise tax, as established by this order, less 40% for sales in quantities of six or more units, or less 35% for sales in quantities of less than six units, plus the amount of the Federal excise tax included in the retail price.

(3) *Revision of resellers' ceiling prices.* Resellers' ceiling prices permitted by this order are subject to revision at any time in accordance with any industry-wide action which may be taken by the Office of Price Administration which requires resellers to absorb any increase in prices permitted reconversion manufacturers.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's customary terms, discounts, allowances and other price differentials on sales to each class of purchaser.

(d) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale showing a ceiling price adjusted in accordance with the terms of this order, the seller shall notify each purchaser in writing of the adjusted ceiling prices for resales of the articles covered by this order. This notice may be given in any convenient form.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) *Effective date.* This order shall become effective on the 28th day of November 1945.

Issued this 27th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21387; Filed, Nov. 27, 1945;  
11:45 a. m.]

[SO 119, Order 20]

THOMAS L. LEEDOM CO.

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to Supplementary Order No. 119, it is ordered:

(a) *Manufacturer's maximum prices.* Thomas L. Leedom Company, of Bristol, Pennsylvania, may increase, by eleven percent, its maximum prices in effect immediately prior to the issuance of this order for sales of the wool floor coverings which it manufactures.

(b) *Maximum prices of distributors whose sales are covered by Maximum Price Regulation No. 65.* (1) If the applicable pricing provision under which the distributor determines his maximum resale prices is § 1352.51 (b) (1) of Maximum Price Regulation No. 65, he shall increase, by eleven percent, each maximum price quoted by the manufacturer in his low-basis price list in effect immediately prior to the issuance of this order; and the resultant prices shall be the reseller's maximum prices.

(2) If the applicable pricing provision under which the distributor determines his maximum resale prices is § 1352.51 (b) (2) of Maximum Price Regulation No. 65, the maximum resale prices established by the Office of Price Administra-

tion will reflect the manufacturer's maximum prices as adjusted under this order.

(c) *Maximum prices of all other purchasers for resale.* (1) If the purchaser for resale must determine his maximum resale prices under Maximum Price Regulation No. 580 by the use of a pricing chart, he shall use the actual invoice cost to him as his cost.

(2) In all other cases, the purchaser for resale shall determine his maximum resale prices, as follows:

(i) A purchaser for resale who delivered or offered for delivery during March 1942 an article which meets the definition of "most comparable article" contained in § 1499.3 (a) of the General Maximum Price Regulation, except that it need not be currently offered for sale, shall calculate his maximum resale prices by adding to his invoice cost the same markup which he had on that comparable article, according to the method and procedure set forth in that section.

The determination of a maximum resale price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his maximum resale price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(ii) If a purchaser for resale cannot determine his maximum resale price under the method specified in (i), he shall apply to the Office of Price Administration for the establishment of his maximum resale price under § 1499.3 (c) of the General Maximum Price Regulation. Maximum resale prices established under that section will reflect the supplier's prices adjusted in accordance with this order.

(d) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in writing of the methods established in paragraphs (b) and (c) of this order for determining adjusted maximum prices for resales of the articles covered by this order. This notice may be given in any convenient form.

(e) *Revocation or amendment.* This order may be revoked or amended by the Price Administrator at any time.

(f) *Effective date.* This order shall become effective on the 28th day of November 1945.

Issued this 27th day of November 1945.

RICHARD H. FIELD,  
Acting Administrator.

[F. R. Doc. 45-21388; Filed, Nov. 27, 1945;  
11:46 a. m.]

[SO 133, Order 9]

SOUTHERN CRAYON CO.

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to Supplementary Order No. 133, it is ordered:

(a) *Manufacturer's maximum prices.* Southern Crayon Company, of Chestnut Street at L. & N. R.R., Nashville, Tennessee, may increase its maximum prices in effect immediately prior to the issuance of this order for sales of the articles listed below, which it manufactures, by the appropriate one of the following percentages:

Article	Adjustment charge (percent)
No. 20—White school chalk.....	11.1
No. 24—White school chalk.....	6.1
No. 25—Colored school chalk.....	5.9
No. 30—White carpenter chalk.....	20.
No. 31—Blue carpenter chalk.....	17.6
No. 32—Red carpenter chalk.....	17.6
No. 33—3 pcs. blue carpenter chalk.....	2.8
No. 34—2 pcs. blue carpenter chalk.....	2.9
No. 35—1 pc. blue carpenter chalk.....	2.9
No. 36—3 pcs. blue carpenter chalk.....	3.
No. 40—White R. R. chalk.....	20.
No. 41—Blue R. R. chalk.....	22.2
No. 42—Red R. R. chalk.....	22.2
No. 43—Yellow R. R. chalk.....	22.2
No. 44—Green R. R. chalk.....	38.9
No. 51—Red lumber crayon.....	9.5
No. 52—Yellow lumber crayon.....	9.5
No. 53—Green lumber crayon.....	9.5
No. 54—Blue lumber crayon.....	9.5
No. 55—Purple lumber crayon.....	9.5
No. 56—Brown lumber crayon.....	9.5
No. 57—Terra cotta crayon.....	9.5
No. 58—Black cotta crayon.....	12.5
No. 59—White cotta crayon.....	9.5
White textile crayons.....	20.
Colored textile crayons.....	18.1

(b) *Maximum prices of purchasers for resale.* Purchasers for resale of such articles, which the manufacturer has sold at adjusted maximum prices shall determine their maximum resale prices, as follows:

(1) A purchaser for resale who delivered or offered for delivery during March 1942 an article which meets the definition of "most comparable article" contained in § 1499.3 (a) of the General Maximum Price Regulation, except that it need not be currently offered for sale, shall determine his maximum resale price by adding to his invoice cost the same markup which he had on that comparable article, according to the method and procedure set forth in that section.

The determination of a maximum resale price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his maximum resale price, for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(2) If a purchaser for resale cannot determine his maximum resale price under the above method, he shall apply to the Office of Price Administration for the establishment of his maximum resale price under § 1499.3 (c) of the General Maximum Price Regulation. Maximum resale prices established under that section will reflect the supplier's prices adjusted in accordance with this order.

(c) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale, showing a price adjusted in accordance with the terms of this order, the seller shall notify the purchaser in

writing of the methods established in paragraph (b) of this order for determining adjusted maximum prices for resales of the articles covered by this order. This notice may be given in any convenient form.

(d) *Reports to be filed.* The manufacturer shall file the report, described in section 5 of Supplementary Order No. 133, with the Office of Price Administrator, Washington 25, D. C.

(e) *Revocation or amendment.* This order may be revoked or amended by the Price Administrator at any time.

(f) *Effective date.* This order shall become effective on November 28, 1945.

Issued this 27th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21404; Filed, Nov. 27, 1945;  
4:27 p. m.]

[MPR 591, Order 145]

FIRECRAFT DOOR CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, for sales by any person of the following ventilators manufactured by the Firecraft Door Company of Chicago, Illinois and as described in the applications dated October 3, 1945 and October 23, 1945 which are on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to jobbers	On sales to dealers	On sales to consumers
Model RC-1 roof type ventilator—overall size: 21 1/4" x 19 1/2"	\$1.25	\$1.50	\$2.50
Wall type ventilators—overall size:			
8" x 8".....	.63	.81	1.35
8" x 16".....	.85	1.02	1.70
12" x 12".....	.75	.94	1.50
12" x 18".....	.95	1.14	1.80
14" x 24".....	1.20	1.41	2.40

(b) The maximum prices set forth in (a) above on sales to jobbers and dealers are f. o. b. point of manufacture.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 27, 1945.

Issued this 27th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21403; Filed, Nov. 27, 1945;  
4:27 p. m.]

[EMPR 523, Rev. Order 63]

B. F. GOODRICH CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

Order No. 66 under Revised Maximum Price Regulation 528 is redesignated Revised Order No. 66 and is revised to read as follows:

(a) The maximum retail price for a 10.50-18 10 ply new Mud-and-Snow tire shall be \$100.20 each.

(b) The maximum retail price for a 10.50-16 new Truck and Bus tube shall be \$12.40.

(c) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(d) This revised order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective November 29, 1945.

Issued this 28th day of November 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-21457; Filed, Nov. 23, 1945;  
11:45 a. m.]

[RMPR 523, Order 72]

B. F. GOODRICH CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) Maximum retail prices for the following sizes and types of new tires shall be:

Size	Ply	Type	Maximum retail price	
			Per tire	Per tube
9.00-13.....	6	Truck and bus..	\$24.75	\$5.00
9.00-13.....	6	Mud-and-snow..	26.75	5.00
14.00-20.....	12	Mud-and-snow..	125.00	

(b) All provisions of Revised Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.



[illegible]



This Amendment No. 24 to Order No. G-53 shall become effective October 8th, 1945, except that for purposes of an application under paragraph (c) of Order No. G-53 it shall not become effective until November 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of October 1945.

LEO F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 45-21280; Filed, Nov. 23, 1945;  
4:56 p. m.]

[Kansas City Order G-1 Under RMPR 285]

#### BANANAS IN KANSAS CITY, MO., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Kansas City District Office by Order of Delegation No. 91 issued by the Dallas Regional Office, Region V; *It is hereby ordered:*

(a) That under this order the free delivery zone by sellers of imported fresh bananas who make delivery to the premises of retailers or institutional users shall be the area within twenty-five miles of the City Hall of the City of Kansas City, Missouri, as measured by road distance by the most direct route.

(b) That the delivery charge for deliveries outside the free delivery zone described in paragraph (a) of this order shall be the actual cost of transportation, such cost not to exceed the lowest available common carrier truckload rate by the most direct route, from the seller's place of business or other customary shipping dock or platform within the "free delivery zone" to the premises of retailers or institutional users located outside such "free delivery zone". This delivery charge must be added after computation of the seller's maximum price and in no instance may it exceed thirty-five cents per hundredweight. No mark-up may be taken on such charge.

(c) Other terms used in this order shall have the meanings set forth in Revised Maximum Price Regulation No. 285 and section 302 of the Emergency Price Control Act of 1942, as amended, unless the context clearly requires otherwise.

This order may be revoked, amended, changed or corrected at any time.

This order shall become effective the fifth day of November 1945.

Issued this first day of November 1945.

J. G. CALLAWAY,  
District Director.

[F. R. Doc. 45-21284; Filed, Nov. 23, 1945;  
4:57 p. m.]

[Region VIII Order G-1 Under SR 15, Amdt. 11]

#### FLUID MILK IN OREGON AND WASHINGTON

An opinion accompanying this amendment has been issued simultaneously herewith.

Order No. G-1 under § 1493.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation is amended in the following respects:

1. In paragraph (a) the heading commencing with the words "The Counties of Clatsop, Columbia, Tillamook, \* \* \*" is amended to read: "The counties of Clatsop, Columbia (Except the City of St. Helens), Tillamook, Benton, Polk, Yamhill, Washington (Except the City of Hillsboro), Multnomah (Except the City of Portland), Clackamas, Marion, Linn, Lane (East of the Coast Range), Wasco (Except the City of The Dalles), Douglas (East of the Coast Range except the Town of Elkton and the City of Roseburg), Jackson, Josephine, in the State of Oregon and the Cities of Vancouver, Camas, and Washougal in the State of Washington."

2. In paragraph (a) the heading reading "The Cities of Pendleton and Portland in the State of Oregon", and the table following it are amended to read as follows:

The Cities of Pendleton, Portland, Hillsboro, and St. Helens; and the County of Hood River in the State of Oregon:

Quantity	Wholesale price	Retail price
Quart container.....	\$9.12	\$9.14
Pint container.....	.65	.68
Half-pint container.....	.63	.65

This amendment shall become effective November 24, 1945.

Issued this 23d day of November, 1945.

BEN C. DUNNWAY,  
Regional Administrator.

Approved: November 21, 1945.

J. B. HUTTON,  
Acting Secretary of Agriculture.

[F. R. Doc. 45-21278; Filed, Nov. 23, 1945;  
4:55 p. m.]

#### SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-43, 70-1176, 70-1177]

GREAT LAKES UTILITIES CO. ET AL.

NOTICE OF FILING AND ORDER FOR HEARING;  
ORDER RECONVENING HEARINGS; AND ORDER  
CONSOLIDATING PROCEEDINGS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of November, A. D. 1945.

In the matter of Great Lakes Utilities Company, File No. 54-43; Great Lakes Utilities Company, Ohio Gas, Light & Coke Company, File No. 70-1176; Great Lakes Utilities Company, Paxton Gas Company, and Rochelle Gas Company, File No. 70-1177.

Great Lakes Utilities Company ("Great Lakes"), a registered holding company, having heretofore filed a plan and amendments thereto pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for compliance with sections 11 (b) (1) and 11 (b) (2) of said Act; the Commission having instituted

proceedings with respect to Great Lakes and its subsidiaries under sections 11 (b) (1) and 11 (b) (2) of the act; and the Commission having consolidated the proceedings with respect to these matters (Holding Company Act Release No. 3243);

The plan filed by Great Lakes having provided, among other things, for the extension of the maturity date of Great Lakes' outstanding First Lien Collateral Trust Gold Bonds 5½%, due 1942, for the sale of all the assets of Great Lakes and for the application of the proceeds from the sale of the assets ratably to the payment of principal and interest on Great Lakes' bonds and to the payment of necessary expenses and the distribution of the balance of such proceeds, if any, to Great Lakes' stockholders and for the subsequent dissolution of Great Lakes;

The Commission and The District Court of the United States for the Eastern District of Pennsylvania having approved the section 11 (e) plan and amendments thereto, and the maturity date of Great Lakes' outstanding First Lien Collateral Trust Bonds having been extended to May 1, 1945 and The United States District Court for the Eastern District of Pennsylvania having taken exclusive jurisdiction and possession of Great Lakes and its assets;

Great Lakes having sold assets and applied the proceeds therefrom to the reduction of the unpaid principal amount of its bonds from \$1,582,500 to \$514,312 as of August 31, 1945 and having paid all interest on such bonds due and payable to May 1, 1942, the unpaid principal amount of its bonds and interest thereon as of August 31, 1945 amounting to \$626,424, and Great Lakes having heretofore stated that further efforts to sell its remaining assets on a satisfactory basis were unsuccessful and having heretofore filed an amended plan, dated October 1, 1944, pursuant to section 11 (e) of the Act;

Said amended plan having provided, among other things, for the acquisition by Rochelle Gas Company ("Rochelle"), a subsidiary of Great Lakes, of the assets of Paxton Gas Company ("Paxton"), also a subsidiary of Great Lakes, for the issuance and sale by Ohio Gas, Light & Coke Company ("Ohio"), also a subsidiary of Great Lakes, of \$325,000 principal amount of First Mortgage Bonds, for the recapitalization of Rochelle and Ohio on the basis of a single class of common stock in each case and for the distribution of \$306,586 in cash and 70.158% of the new common stocks of Rochelle and Ohio to Great Lakes' bondholders in complete satisfaction of their claims, and for the distribution of the remaining 29.842% of the common stocks of Rochelle and Ohio to the holders of the common stock of Great Lakes (and Voting Trust Certificates therefor);

Public hearings having been held on the amended plan and Great Lakes having stated thereafter that the company now deems it advisable to carry out certain steps contemplated by the plan of Great Lakes heretofore approved by the Commission and that the consummation of such steps will render impossible the accomplishment of the principal provi-

sions of the amended plan, and Great Lakes having filed an application with this Commission for permission to withdraw the amended plan;

Notice is hereby given that applications and declarations, and amendments thereto, have been filed with this Commission by Great Lakes, Ohio, Rochelle and Paxton pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the general rules and regulations of this Commission thereunder, with respect to various proposed transactions designed as steps toward the accomplishment of the liquidation and dissolution of Great Lakes pursuant to the section 11 (e) plan of Great Lakes heretofore approved by the Commission.

All interested parties are referred to said documents, which are on file at the offices of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

1. Great Lakes proposes to sell to Frederick E. Zeuch of Chicago, Illinois, its investment in Ohio consisting of all of the outstanding securities of Ohio, at the date of closing, namely, \$525,000 principal amount of First Mortgage 6% Gold Bonds, Series A, due 1942 and 1,900 shares of common stock with a par value of \$100 per share for a cash consideration of \$660,100.

2. Great Lakes proposes, prior to or simultaneously with the closing, to contribute to the capital of Ohio the following:

(i) \$125,000 principal amount of Ohio's First Mortgage 6% Gold Bonds, due 1942, such amount being the excess of the outstanding principal amount of such bonds over the principal amount (\$525,000) of such bonds proposed to be sold by Great Lakes as set forth in paragraph 1 above.

(ii) All claims for interest on the \$650,000 principal amount of Ohio's bonds owned by Great Lakes less interest paid in cash thereon by Ohio between May 1, 1945 and the date of closing.

(iii) All open account, note and other indebtedness owed by Ohio to Great Lakes at the date of the closing, including interest thereon and any claim in respect of the amount of \$5,990 heretofore paid by Great Lakes to Ohio in connection with a subscription by Great Lakes to 599 shares of capital stock of Ohio, which subscription will be cancelled.

3. Paxton proposes to sell and Rochelle proposes to acquire pursuant to the express approval of the Illinois Commerce Commission (i) the properties of Paxton for a consideration equal to the net book value thereof (\$189,372 at August 31, 1945) to be paid by the assumption by Rochelle of the liabilities of Paxton for consumers' deposits, interest thereon, and of a portion of the note and open account indebtedness plus interest thereon owed by Paxton to Great Lakes and (ii) the current assets (except cash), of Paxton for a cash consideration equivalent to the book amount thereof, (\$10,152 at August 31, 1945) and Paxton will thereupon dissolve.

4. Rochelle proposes to amend its Articles of Incorporation to reclassify its

presently outstanding 600 shares of capital stock, having a par value of \$100 per share, into 15,078 shares of capital stock with a par value of \$10 a share and to change its name to Allied Gas Company or such other name as may be appropriate and available. Rochelle will also receive a capital contribution from Great Lakes in the total amount of \$198,193 as of August 31, 1945 consisting of indebtedness of \$185,659 owed by Paxton to Great Lakes (assumed by Rochelle) and \$12,534 in cash.

5. Great Lakes proposes to use a portion of the proceeds from the sale of the foregoing securities of Ohio to satisfy in full the claim of Great Lakes' bondholders for principal and interest to the date of payment which claim, as of August 31, 1945, amounted to \$626,424. Great Lakes states that the balance of the proceeds will be applied, to the extent necessary, to the payment of the costs and expenses of winding up Great Lakes, and that any remaining portion of the proceeds will be donated to Rochelle.

Great Lakes states that upon approval by this Commission of the sale by Great Lakes of its investment in Ohio, Great Lakes will apply to The District Court of the United States for the Eastern District of Pennsylvania for an order approving such proposed transactions.

The Commission is also requested to issue an order containing the appropriate recitals and specifications described in sections 371 (b), 371 (f), 373 (a) and 1808 (f) of the Internal Revenue Code, as amended, with respect to the proposed sale of the securities of Ohio and the transactions incidental thereto and sections 371 (f), 373 (a) and 1808 (f) of the Internal Revenue Code, as amended, with respect to the acquisition by Rochelle of the assets of Paxton and the recapitalization of Rochelle.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held in respect of such matters and that said declarations shall not become effective nor said applications granted except pursuant to further order of the Commission;

It further appearing to the Commission that it is appropriate that the hearings in the proceedings under sections 11 (b) (1) and 11 (b) (2) of the act in the consolidated proceedings (File No. 54-43) be reconvened, and that the issues presented by said consolidated proceedings and by the applications and declarations with respect to the sale by Great Lakes of its interest in Ohio and the acquisition by Rochelle of the assets of Paxton and the recapitalization of Rochelle involve common questions of law and fact and should be heard together:

*It is hereby ordered*, That the proceedings on the applications and declarations of Great Lakes, Ohio, Paxton and Rochelle be consolidated with the proceedings under sections 11 (b) (1), 11 (b) (2) and 11 (e) of the act, and that a hearing on the matters involved in the applications and declarations of Great Lakes, Ohio, Paxton and Rochelle and in the proceedings under sections 11 (b) (1) and 11 (b) (2) of the act be held

on December 5, 1945 at 10:30 a. m., c. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner prescribed by Rule XVII of the rules of practice on or before December 3, 1945.

*It is further ordered*, That Allen MacCullen, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (f) of said act and to a trial examiner under the Commission's rules of practice.

*It is further ordered*, That, without limiting the scope of the issues involved in these proceedings, particular attention will be directed at the hearing to a consideration of the following matters and questions:

1. Whether competitive conditions have been maintained in the negotiation of the proposed sale of the securities of Ohio and whether the proposed consideration to be received for such securities is reasonable.

2. Whether the proposed capital contributions by Great Lakes to Ohio, Paxton and Rochelle comply with the applicable provisions of the act and the rules thereunder.

3. Whether the proposed liquidation and dissolution of Paxton and the transactions incident thereto are in compliance with the applicable provisions of the act and the rules thereunder.

4. Whether the proposed accounting entries on the books of Great Lakes, Ohio, Paxton and Rochelle are appropriate and in conformity with the requirements of the act.

5. Whether the fees, commissions or other remuneration to be paid in connection with the proposed transactions are for necessary services and are reasonable in amount.

6. What terms or conditions, if any, with respect to the proposed transactions should be prescribed in the public interest or for the interest of investors or consumers.

7. Generally, whether in any respect, the proposed transactions are detrimental to the public interest or the interest of investors or consumers or will tend to contravene or circumvent any provisions of the act or the rules thereunder.

At the outset of said hearing, consideration will be given to the issues with respect to the proposed sale by Great Lakes of its interest in Ohio.

*It is further ordered*, That the Secretary of the Commission shall serve notice of said hearing by mailing a copy of this order by registered mail to Great Lakes, Ohio, Paxton and Rochelle, to Frederick E. Zeuch, the prospective purchaser of the securities of Ohio, to Bank of the Manhattan Company, Trustee under the Trust Indenture securing Great Lakes' bonds, The Pennsylvania Company for

Insurances on Lives and Granting Annuities and C. S. Newhall, Trustees under the First Mortgage securing Ohio's bonds, The Ohio Public Utilities Commission, Illinois Commerce Commission, and to the Federal Power Commission; and that notice shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases under the act; and that further notice be given to all persons by publication of this order in the FEDERAL REGISTER.

*It is further ordered*, That jurisdiction be, and hereby is, reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues which may arise in the proceedings instituted by this order and the proceedings heretofore instituted under sections 11 (b) (1), 11 (b) (2) and 11 (e) of the act.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-21406; Filed, Nov. 27, 1945;  
4:32 p. m.]

[File Nos. 54-55, 59-51]

SOUTHERN COLORADO POWER CO.

ORDER RELEASING JURISDICTION OVER LEGAL FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of November 1945.

In the matter of Southern Colorado Power Company, File No. 54-55; and Southern Colorado Power Company, File No. 59-51.

Southern Colorado Power Company (Southern Colorado), a subsidiary of Standard Gas and Electric Company, a registered holding company, having filed on June 30, 1942, an application and amendments thereto pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of the company's second amended plan to comply with section 11 (b) (2) of the act; and said proceedings having been consolidated with the proceedings instituted by the Commission with respect to Southern Colorado Power Company under section 11 (b) (2) of the act and hearings held thereon; and the Commission having issued its order dated November 24, 1943, approving said second amended plan, subject to the condition that jurisdiction be reserved to the Commission over all fees and expenses incurred or to be incurred in connection with such plan, which fees and expenses at the time of approval of the plan were estimated in the amount of \$69,816.31; and

Such plan having been finally approved by order dated June 26, 1945, of The District Court of the United States for the District of Colorado, in the proceedings entitled "In the Matter of Southern Colorado Power Company Civil No. 670", which order provided that the effective date of such plan should be June 30, 1945; and

Southern Colorado Power Company having filed on October 25, 1945, its petition requesting that the Commission enter an order waiving the jurisdiction heretofore reserved by the Commission with respect to the payment by Southern Colorado Power Company of the fees and expenses incurred by the company in connection with the plan, and stating that the total of such fees and expenses amounts to the sum of \$49,243.67, that the unpaid balance of such fees and expenses is the sum of \$12,214.78, of which amount \$10,500 is due to A. Louis Flynn for legal services rendered the company in connection with the plan and \$1,714.78 is due to Butler Dismen, a preferred stockholder of the company who appeared and took part in the proceedings herein, for reimbursement for his legal fees in the amount of \$1,000 and his expenses in the amount of \$714.78; and

The Commission having examined said petition; and it appearing to the Commission that such fees and expenses as set forth in said petition are not unreasonable;

*It is ordered*, That the jurisdiction heretofore reserved by the Commission's order of November 24, 1943 with respect to the payment of fees and expenses be, and hereby is, released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-21407; Filed, Nov. 27, 1945;  
4:32 p. m.]

[File No. 70-1171]

SOUTHERN CALIFORNIA WATER CO. AND  
AMERICAN STATES UTILITIES CORP.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 23d day of November, A. D. 1945.

Southern California Water Company ("Southern"), a non-utility subsidiary of American States Utilities Corporation ("American"), a registered holding company, having filed an application and declaration and, together with American, an amendment thereto, pursuant to the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder, with respect to the proposals of Southern (a) to issue and sell 32,000 shares of new 4¼% preferred stock, par value \$25, to seven institutional purchasers at \$26.50 per share, (b) to use the proceeds of said sale to redeem and retire all of its outstanding shares of preferred stock, consisting of 20,000 shares of 6% preferred stock and 12,000 shares of 5% preferred stock, at their redemption price of \$26.25 per share plus dividends unpaid and accrued, (c) to amend its articles of incorporation to provide for the new preferred stock, (d) to solicit authorizations from all its shareholders with respect to the proposed amendment to its articles of incorporation, and (e) to issue to American

an aggregate of 61,932 shares of common stock in exchange for its 61,932 outstanding common shares in the hands of American, and with respect to the proposal of American to acquire the shares of common stock to be issued by Southern; and

Notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act, and the Commission not having received a request for a hearing with respect to said joint application and declaration within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the proposed transactions are not in contravention of the act or any Rules or Regulations promulgated thereunder, that the proposed transactions satisfy the requirements of sections 6 (b), 10, 12 (c), and 12 (e) of the act and of the applicable rules thereunder, and that it is appropriate in the public interest and in the interests of investors and consumers that said application be granted and said declaration be permitted to become effective;

*It is hereby ordered*, pursuant to Rule U-23 and the applicable provisions of the act and of the rules thereunder, that subject to the terms and conditions prescribed in Rule U-24 the aforesaid application be and the same hereby is granted and the aforesaid declaration be and the same hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-21408; Filed, Nov. 27, 1945;  
4:32 p. m.]

[File No. 70-1179]

CENTRAL ILLINOIS PUBLIC SERVICE CO.

MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23rd day of November, A. D., 1945.

Central Illinois Public Service Company (CIPS), a public utility subsidiary of The Middle West Corporation, a registered holding company, has filed an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 respecting a proposal to issue and sell to certain banks its unsecured serial notes in the aggregate principal amount of \$5,600,000 to mature in the amount of \$350,000 on April 1 and October 1 in each of the years 1946 to 1953 inclusive, bearing interest at 2% per annum, and to use the proceeds to prepay and redeem an identical principal amount of unsecured serial notes maturing on April 1 and October 1 in each of the years 1947 to 1951 inclusive, of which notes \$2,800,000 principal amount, maturing to October 1949, bear interest at the rate of 2¼% per annum, and \$2,800,000 maturing after said date, bear interest at the rate of 3% per annum.

Inasmuch as the proposed issuance of notes by CIPS comes before us on appli-

cation for exemption pursuant to Section 6 (b) of the act and has been expressly authorized by the Illinois Commerce Commission, the questions before us are confined to (1) whether such issue and sale of securities are solely for the purpose of financing the business of CIPS and (2) whether it is appropriate in the public interest or for the protection of investors and consumers to impose conditions with respect thereto.

After appropriate notice a public hearing upon the application was duly held. Having considered the record, we make the following findings:

CIPS, an Illinois public utility, produces, purchases, distributes and sells electric energy; distributes and sells natural gas and water; produces and sells manufactured gas and ice and, to a minor extent, conducts a cold storage business and supplies heating service, all in the State of Illinois.

Proceedings are now pending pursuant to sections 11 (b) (2) and 15 (f) of the act with respect to CIPS<sup>1</sup> to determine whether voting power is fairly and equitably distributed among its security holders, and, if not, whether it is necessary or appropriate to require that it shall revise and simplify its capital structure and take other steps to effect fair and equitable distribution of voting power among its security holders, and to determine whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to require that it restate its plant and investment, surplus, capital and other accounts.

The proposed transactions will result in a reduction in interest on the long term unsecured indebtedness of CIPS. The schedule of maturities will be modified so that payments on the new notes will be divided into sixteen equal installments through creating two maturities in 1946 and extending four maturities beyond final maturity of the presently outstanding serial notes. The proposed

notes may be prepaid without premium, except from borrowings or sales of securities bearing interest at less than 2% per annum. No fees, commissions or other remuneration will be paid and expenses will be nominal.

The issue and sale of the notes is solely for the purpose of financing the business of the company. Since the principal effect of the issuance of the new notes is to reduce interest charges and the note agreement provides for prepayment of the notes without premium and it appears that the proposed transactions will not, in any way, prejudice a complete determination of the issues in the pending proceedings under sections 11 (b) (2) and 15 (f) of the act, we will approve the application without imposing any conditions. We shall, however, reserve full jurisdiction with respect to the proceedings under section 11 (b) (2) and 15 (f) now pending and this order is not intended, nor shall it be construed, to involve any determination regarding any of the issues with respect to the said proceedings. Of course, we will reserve our full powers under section 12 (c) of the act with respect to dividend payments of the company.

*It is therefore ordered*, That the application be, and the same hereby is granted forthwith, subject to the reservation of jurisdiction above noted, and further, subject to the terms and conditions contained in Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-21409; Filed, Nov. 27, 1945;  
4:32 p. m.]

[File Nos. 812-192, 812-193, 812-194]

PROVIDENTIA LTD. ET AL.

NOTICE OF AND ORDER FOR HEARING AND  
ORDER CONSOLIDATING PROCEEDINGS

At a regular session of the Securities  
and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on  
the 26th day of November A. D. 1945.

In the matter of Providentia, Ltd., The  
Nineteen Corporation, Instoria, Inc., File  
Nos. 812-192, 812-193, 812-194.

Applications having been filed by Providentia, Ltd., The Nineteen Corporation and Instoria, Inc., under and pursuant to Section 6 (c) of the Investment Company Act of 1940, for orders granting an extension to January 15, 1946 of an exemption from the provisions of the Investment Company Act of 1940 heretofore granted to applicants and extended to November 30, 1945 by order of the Commission dated March 30, 1945;

It appearing to the Commission that said applications are related and present questions of law and fact common to each of said applications;

*It is ordered*, That the proceedings on the three applications be and the same hereby are consolidated;

*It is further ordered*, Pursuant to section 40 (a) of said act, that a hearing on the consolidated matter be held on December 7, 1945 at 10:00 a. m. Eastern Standard Time in Room 318 in the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia 3, Pennsylvania;

*It is further ordered*, That Charles S. Lobingier, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on this matter. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicants and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors,

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-21410; Filed, Nov. 27, 1945;  
4:33 p. m.]

<sup>1</sup>Holding Company Act Release No. 3080.